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RECORDS OF THE BARON COURT
OF STITCHHILL

OCTOBER 1905

RECORDS OF THE BARON COURT OF STITCHILL

1655-1807

Transcribed by the late
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INTRODUCTION

THESE Minutes, begun two hundred and fifty years ago, extend from the eighth day of January 1655 in unbroken series to the twenty-first day of November 1807, a period of one hundred and fifty-two years. When they began, Cromwell was in his second year as Lord Protector of the Commonwealth of Great Britain and Ireland: they close just twelve years before the birth of Victoria, later the monarch of these realms. In 1655 Scotland was little better than a conquered province of England. The Lord Protector had dispensed with the services and co-operation of the Scots Parliament, of the Commission of Estates, and in matters ecclesiastical, of the General Assembly of the Church of Scotland. In the year previous to the opening of the Minutes, the Supreme Council of the Commonwealth of England had ratified its union with Scotland. This union, although coming to an end with the restoration of King Charles II. in 1660, was not without some influence upon the social system in the country; for by its means the feudal tyranny of the nobility was broken. The tenantry and commons enjoyed more domestic peace and tranquillity than had been their lot during the turbulent and disputatious times of Charles I. Two contemporary opinions of the state of Scotland during Cromwell's Protectorate are worth quoting,—opinions from widely varied sources, yet whose concurrent truthfulness may be accepted. Robert Baillie, one of the most eminent and perhaps the most moderate of all the Scottish Presbyterian clergy during the Civil War, says: 'Our State is in a very silent condition,

strong garrisons over all the land, and a great army of horse and foot, from 7000 to 9000 in number, for which there is no service at all. Our nobles lying in prison and under forfeitures or debts, private and public, are, for the most part, either broken or breaking.'

The other opinion is that of Cromwell himself, the chief personage in the State. He had sent for both Houses of Parliament to come to him in Whitehall to the Banqueting House, and thus he addressed them: 'And hath Scotland been long settled? Have not they a like sense of poverty? I speak plainly. In good earnest I do think the Scots nation have been under as great a suffering in point of livelihood and subsistence outwardly as any people I have yet named to you. I do think truly they are a very ruined nation. And yet, in a way (I have spoken with some gentlemen come from thence), hopeful enough; it hath pleased God to give that plentiful encouragement to the meaner sort in Scotland. The meaner sort in Scotland live as well, and are as likely to come into as thriving a condition under your government as when they were under their own great lords who made them work for their living' (Carlyle's *Cromwell*, vol. iii. p. 342).

The foregoing brief glance at the political condition of Scotland at the time when these records begin helps more clearly to a realisation of the domestic condition of the country—a condition which, however, is actually brought before our very eyes in a singularly vivid manner by the manuscript under consideration, viz. 'The Minutes of the Baron Court holden at Stitchill Kirk by the Right Worthy Robert Pringle, of Stitchill, baron and heretable proprietor of the lands, parochin and barony of Stitchill.'

To regulate the administration of justice, Cromwell set on foot a two-fold scheme. He appointed (1) a commission of four English and three Scottish judges to take the place of

the Scots Court of Session, not only for hearing cases in Edinburgh, but also for the holding of circuit courts in the principal towns. With his second step this work is more especially connected. (2) By Act of Parliament it was provided that in every parish each baron should resume his former jurisdiction, and hold a court of justice, and take cognisance of debts, promises, and trespass. The court officials registered their transactions in Minute-books. Those belonging to Stitchill have never previously been published. One series of such records, viz. the *Baron Court Book of Urie*, was published by the Scottish History Society a few years ago. And now that work is supplemented with similar material afforded by the *Court Book of the Barony of Stitchill*. Those two reproductions, containing, as they do, the very essence of parochial and village legislation in the seventeenth and eighteenth centuries, the one in the north of Scotland in a seaboard parish, and the other in the far south in the agricultural midlands, supply between them accurate and interesting glimpses of the everyday life of the Scots villager at the extremes of the country, the former by sea and land, and the latter purely pastoral and agricultural.

The jurisdiction of the Baron was powerful and widespread, and formed an essential feature of the feudal system. Introduced at an early period, feudalism flourished in Scotland until the fourteenth century, when various causes contributed to its decay; and it received the death-blow by the abolition of heritable jurisdiction consequent upon the rising of 1745. The actual formula of the Baron's jurisdiction contains a number of uncouth but archaic words: 'Soc, sac, pitt, gallows, toll, theme, infangthief, and outfangthief.' 'Soc' denotes the district included within the jurisdiction; 'sac' means the right of judging in litigious suits; 'toll' implies exemption from duty, also the right to exact duty; 'theme' indicates the Baron's right of declaring who were

serfs and who were freemen ; ‘ infangthief ’ means jurisdiction over a thief within the Baron’s soc ; ‘ outfangthief ’ refers to the right of extradition of a thief caught within the soc of another ; ‘ pit and gallows ’—*furca et fossa*—is the power of capital punishment, the pit being for the drowning of women, and the gallows for the hanging of men.

Such was the parochial court re-established by the Lord Protector, though with greatly limited powers and lessened dignity. In fact it corresponded a good deal to the justice of peace system in England administered by the class whose feudal authority had been suppressed (Hill Burton, vol. vii. p. 320).

The Baron Court with which this volume is more particularly connected was that of the village, barony, and parish of Stitchill in Roxburghshire, three miles to the north of Kelso. The name Stitchill is the equivalent of uphill or uphall, and indicates that the parish occupies part of an upland slope, rising at last to eight hundred feet above the sea-level, to which the ruined fortalice of Hume Castle forms an imposing copestone. Its population and church membership both appear to have continued very much the same as at present during all those years.

Stitchill at that time was in the centre of a disturbed district. It lies upon the highway to England, and midway between the castles of Hume and Roxburgh, almost within striking distance of Duns ; hence the villagers could not fail to be well acquainted with the main features of the Covenanting campaign. In fact, the religious tone of the villagers if inspired from the mansion-house was Covenanting. At Duns some had lain in arms for Christ’s crown and Covenant. At Kelso they had witnessed the inglorious and disorderly retreat of Lord Holland and his troopers. Their own broken soldier, Thomas Whyte, military representative of Stitchill, returned to the village, wounded, from the battle

of Dunbar. And in the sight of every one occurred the very last act of the drama in which Hume Castle had a part acted out to the end. It may be read to-day in Carlyle's *Cromwell*, vol. ii. p. 244, thus: 'February 3rd, 1650. Letters that Colonel Fenwick summoned Hume Castle to be surrendered to General Cromwell. The Governor answered, "I know not Cromwell; and as for my castle, it is built upon a rock." Whereupon Colonel Fenwick played upon him a little while with the great guns. But the Governor still would not yield; nay, sent a letter couched in these singular terms:—

"I, William of the Wastle,
Am now in my castle;
And a' the dogs in the town
Shanna gar me go down."

This frolicking humour stood Willie Wastle in no good stead. War is too tragic. So the mortars were opened upon him, which "gar him gang down."

The population of Stitchill, as of other Lowland villages, was purely agricultural and pastoral. Farmers, cottars, and the small shopkeepers in the village held land from the laird only, and paid their rents in the three ways—*money, service, kind*. Farmers held their farms only from crop to crop. There were no leases, and they might be removed at the landlord's will. In addition to the rents, the Baron sitting in judgment decerned the parochial burdens for the ensuing half-year. One such order refers to the education rate of that day. He statutes and ordains his haill tenants to pay proportionally to James Lennox, schoolmaster, 20s. Scots money during his service, and authorises his Baron officer to poind and distrain any who fail therefor. Again, the assessment is on behalf of the Beddall, the indispensable village tyrant, to whom in those days minister, manse, and parish owed some importance. For the ringing of the great bell at four

hours in the morning and at eight at night, each big house is to pay him twelpence yearly. There is also a military rate. It is found that four indwellers were liable in £32 Scots money, 'ilk ane of them for their own partes with the interest of the principal sum for the out-reiking ane soldier for the parish of Stitchill.' And as mentioned above, when their soldier returned from Dunbar battle, the hail tenants are stented in payment of £10 Scots money 'for relief of his wounds, being sent for the whole barony.' In this connection one may note that it was one of Oliver Cromwell's first acts to sweep away the feudal system in Scotland which had entitled the territorial chiefs to the military attendance of their vassals, 'that all and every the heritors and persons aforesaid and their heirs are and shall be forever hereafter freed and discharged of and from all military service and personal attendance upon any their lords and superiors in expeditions or travels and of all casualties of wards and lands formerly held by the king and other superiors' (Hill Burton, pp. vii, lxxv, 316, 317, 318, Appendix, xxvii; Bruce's *Report on the Union*, p. ccx; and in Scobell's *Collection*). Still, it is only fair to the memory of James II. to state that in 1450 he permitted lands to be let in feu without the obligation of military service. This step of Cromwell's was one in the direction of the policy pursued by him of allowing the people to carry on their industries undisturbed and unmolested (Ross, p. 121). This, however, is a digression begotten of those examples of the monetary burdens, the education rate, and the military rate. Other examples occur constantly throughout the Records; such, for instance, as the halfpenny rate imposed upon every tenant at the meeting of the Baron Court, etc.

The burden of payment in *kind* occurs most commonly in that form of rent called *kain* or *kayne*, when the tenant con-

tributed to the laird's pantry annually one or more fowls or hens as part of his rent, a custom still maintained in that part of the country. The payment of teinds or tithes was another example, and one fruitful of perennial ill-feeling between the parishioners and the minister or the laird. The minister on his part might delay teinding until the weather was breaking, with the crops lying out exposed to all risks. The parishioner, on the other hand, with the skill of years of practice, could so arrange that every tenth sheaf, by the most curious mischance, proved to be the thinnest and poorest! Fruitful sources of irritation betwixt parson and parishioner. How much more so when they happened to be Episcopalian and Covenanter, or *vice versa*!

The third burden upon the tenant was that of *service*; which service varied according to different purposes—to furnish a sufficient worker day about for carrying out the rubbish accumulated in the kirkyard, under a penalty of £5 Scots; or it was the reparation of the kirk itself, and included the furnishing of the barrows, riddles, and other necessities for the work.

But perhaps the burden most grievous of all, and one fruitful of constant irritation to every one within the barony, was that of thirlage to a particular mill. This was called the *service of the sucken*. Every thirteenth peck of meal ground at the mill went to the miller under the name of multure, in addition to multure dues to the baron, and lesser dues to the miller's man, under the name of knaveship. And so great was the profit from those multures to the baron and to the miller, that Act after Act was passed ordaining the tenants to confine all their grinding to the mill of the barony. The handmill of the cottar against the water-mill of the landlord strove for centuries back, away before the days even when the monks of St. Albans sallied forth and, after capturing the handmills of their vassals, paved the floor

of their refectory with them. Here, for instance, is a reference in the beginning of the year of the Restoration: 'The which day the said Judge taking into his serious consideration what loss and prejudice the possessor of the Mill of Stitchill entertains by the people of this Barony who buy their bread for penny Bridals in the market, and do not grind their bridal wheat at the said Mill, so that therby they are partly unable to pay the tack duties yearly rent for the said Mill use and wont. Therefore it is enacted and by these presents statute and ordained, that all makers of common Bridals, also Ale-brewers, as others within the Barony, shall grind the haill wheat which they shall happen to make use of at the said Bridal, at the Mill of Stitchill, and pay Mill-duties therefor use and wont; and that none within this Barony buy bread in the market under the pain of £10 for each fault without modification.'

And later, the laird further decreed that no bride dwelling within this barony shall make her bridal outside this parish wheresoever the bridegroom shall happen to dwell, for the benefit of the mill-duties on the malt and wheat, under a fine of £20. Poor James Macdowell! His bride's taste for the fancy bread of Kelso cost him £10 to the laird and double multure to the miller, or ten shillings.

Another curious feature of the sucken was the bringing home of the millstones. In a parish where roads were few and rough, this was an operation of danger and difficulty. So the simplest arrangement was to thrust a young tree through the hole of the millstone, and the parishioners in turn wheeled it along upon its edge, so as to avoid injury to the grinding surface. Even the widow of James Campbell was ordered to pay £3 as her share of the expense.

Other burdens of service were ditching, diking, enclosing, planting trees for the laird, and casting the mill-lade for the common enemy the miller. The penalty for cutting a tree

was £10, one half of which was to go to the poor. It came rather hard, however, on the poor when the factor forgot this recommendation and appropriated the whole of the £10, which was George Hamilton's fine for cutting an ash-tree belonging to the laird. One recalls the old rhyme:—

‘Oak, ash, and elm-tree,
The laird may hang for all the three;
But for saugh, and bitterweed,
The laird may flyte, but mak naething by ‘t.’

—ROGERS, ii. 46.

And with the tenants, so with the cottars. They too paid their rents in money, kind, and service. Isobel Johnstone paid in rent £3 and four kayne hens. Another cottar in name of partial rent must bring ten loads of coal from England to the laird and four to the lady dowager. For the pasture of a horse on the Hall hill one load of coals must be carried. And when the East Loch was drained, a call was made upon the cottars to furnish the labour required. The Baron Court Book contains many such references, of which the foregoing are but examples.

And now, coming to consider the condition of agriculture at this epoch of the Commonwealth and after; where then did the farmer's gains come from? Hardly from the land. The Border forays of the past centuries; the frequent marchings of troops to and from English soil; of Highlanders and Lowlanders; of English Independents and Scottish Presbyterians; of Border reivers and English mosstroopers, all hindered agriculture from becoming a thriving branch of industry.

One army destroyed the labour of many years. Farmers had to be content if they succeeded in producing the household supply. The lands were wrought on the principle of infield and outfield. Infield meant one-fourth of the farm lying nearest the house; this was fairly well fertilised. Women carried everything that was required to the fields in

creels, and indeed acted as pack-horses in carrying grain, hay, and manure, often long distances. The outfield consisted of the remaining three-fourths of the farm, which lay further distant and yielded crops of inferior quality. After being pastured for seven or eight years, it was then ploughed, and a crop or two of oats taken off. In hard or clay soils eight oxen were yoked together to drag a single wooden plough, and from four to six persons were required to conduct it: two led the oxen, one held the stilts, one cleared the mould-board, and one regulated the breadth of the furrow by means of a long pole attached to the plough by an iron hook. The swing plough was introduced only in 1763. Generally speaking, these were bad times, times of poor crops, wretched weather, and prevailing dearth and poverty. Bere cost £20 Scots per boll, equal to £1, 13s. 4d. In 1657 the price was £5, 8s. 4d. Oats brought five merks per boll. The pint of ale cost four or six shillings according to quality, equal to fourpence or sixpence sterling. A boll of wheat, pease, or rye contained ten pecks per boll. Oats and barley contained fifteen pecks per boll. Oatmeal measured six bushels to the boll, equal to 140 lbs. avoirdupois. A ploughgate of land was equal to 104 acres, which eight oxen could plough in one year. It was similar to a hide or carucate in England, which amounted to 120 acres. A davoch was equal to four ploughgates.

With regard to the feeding of sheep and cows, there was nothing to eke out the pasture; turnips, potatoes, and the better kinds of grass being introduced and utilised a full hundred years after this, in 1747. The sheep were small and their flesh hard for those who had to eat it; 'the mutton live to a greater age than elsewhere by reason of the salubrity of the air and the wholesome dry feeding, and are indeed the greatest merchant-commodity that brings money to the place, with their produce of lambs, wools, skins, butter, and cheese.'

From the Baron Court Records one may get a good idea of the purchasing power of £100 Scots : Alexander Lowrie will sell six dinmonts and ewes for £8, 6s. 8d.; John Smith's price for one ox is £18, 10s.; William Courtney's two cows cost £31; Isobel Ormiston's calf cost £11, 14s.; John Wood bought a mare for £26; John Brattison will erect a peatstack for £4. The sum-total of the above amounts to all but £100 Scots or £8, 6s. 8d. sterling. 'This country affordeth also store of neat hide and sheep skins and great plenty of wool, which is carried to foreign nations, so that the cold eastern countries bless this happy soil, being warmed with the fleeces of their sheep. It affordeth also great plenty of well-spun worset, which is sold and carried for the most part to foreign nations' (Russell's *Yarrow*, p. 74).

The remaining lands and meadows of each district were possessed and laboured in different parts by the poorer cottars, under the authority of the laird or his bailie. They had equal rights with one another to the woodlands, the peat-mosses, the large ranges of common, and forest-land, which furnished eldin or fuel to them gratis, where pigs and geese might range, and the cows might feed, herded by the small boys of the village.

In addition to the agricultural population, consisting of farmers and cottars, there were the tradesmen necessary to their existence: the blacksmith, to whom was paid a tax called 'sharping corn,' who kept the ploughshares and reaping-hooks in order; the joiner; the cordiner, who made shoes; the brewer, who made and sold ale; the carrier to Edinburgh and the north of England; and the general merchant. And, in addition, the chapman, who traded by barter, accepting poultry, butter, cheese, and eggs in return for the manufactured commodities of the town, was ever a welcome visitor with his pack to tempt the goodwives, and his political gossip for their husbands.

Their dwellings were of a temporary nature. As an English tourist related, 'the houses are mouse-holes of mud, covered in with heath and thatch which, when dry, makes excellent fuel.' There was but one apartment, with no chimneys, with unglazed boles for windows, and a fire of wood in the middle of the floor.

The usual dress of the working people was made of a plain coarse woollen cloth called hodden grey. It had been spun at home by the industrious wives from the washed but undyed wool. The maud, or shepherd's plaid, and the blue bonnet marked the peasant's dress. If he wore shoes, they were made of neat's leather, fastened with brass buckles. In spite of the prevailing poverty, the commons liked to dress well, especially on Sundays. John Ray, the naturalist, was so struck by this marked difference between the Lowland labourer in his work and in his dress, that he wrote: 'They lay out most they are worth in clothes, and a fellow that hath scarce ten groats besides to help himself with, you shall see him come out of his smoky cottage clad like a gentleman.' This love of display was prevalent. In the *Complaynt of Scotland* one may read that, 'ane man is nocht repute for a gentleman in Scotland but gyf he mak mair expenses on his horse and doggis nor he does on his wyfe and bairns' (Ross, p. 283). This fondness for apparel attracted even the attention of Parliament and of the General Assembly of the Church; and those two bodies tried in vain to regulate it, as indeed James II. had attempted two hundred years earlier. Burgesses and peasantry, men, their wives and daughters, were to be restrained in their extravagance. Dress, coats, and cloaks were to be composed of materials suited to the wearers' ranks. It was enacted that nobles only were to wear golden or silver lacings, velvets, satins, or silks; no man of lower rank to do so except at a penalty of £1000 Scots. Servants were restricted to fustian, canvas, or other stuffs produced within the kingdom.

Scant grace was shown to weddings. One of the Stitchill Records expressly certifies that neither bride nor bridegroom, their friends nor guests, shall make above two changes on that occasion, under a fine if they be craftsmen or servants, not exceeding a hundred merks. Clothing was often made a consideration in completing a bargain. Thomas Hoggarth for his services got £11, 4s. Scots, with a harden shirt of coarse tweeled linen, a suit of old clothes, and two pairs of hose. John Crottar for a half-year got £5 for fee, twelve shillings for shoes, and twenty-four shillings for new hose. Hose was a species of pantaloons fitting closely to the limbs, and attached to the waistcoat by strings or laces tipped with metal points. William Moffat is decerned to pay to James Alexander for fee to his nephew, £4, 13s. 4d., with a pair of old hose, or 8d. for the price. A woman's wage for the summer months was £4 Scots, often with a bountith of a pair of shoes and the privilege of sowing a little lint. Other examples of wages are: three shillings for one day's threshing; also one shilling and fourpence for a day's spinning. One shilling Scots was equal to the modern penny; £1 Scots represented one shilling and eightpence of our money; and £100 Scots would mean £8, 6s. 8d. to-day.

Beef was sold at twopence per pound; mutton at three halfpence per pound of seventeen and a half ounces; and cheese brought only threepence or fourpence a pound of twenty-four ounces. In general the common food was brose, oatmeal moistened with hot water and seasoned with salt. Each meal was the repetition of its predecessor, and the cooking process was simple.

The greatest social evil in Scotland, and the keenest reproach to her clergy, was the existence and prevalence of the vagrant poor, without any corresponding and adequate method of granting them relief. In vain did Parliament order the arrest of all vagabonds, sturdy beggars, and gipsies,

such as made themselves fools and bards, and such who sleep all day and walk by night. In vain did the Church distribute her sacramental monies and the contents of the poor-box, distinguishing between the respectable, unfortunate poor, and the profane, drunken, debauched sort. In vain did the Baron forbid his tenants to relieve, to house, or give them money, save at the risk of the burden of their continued maintenance. The poor continued to exist throughout the land. The gaberlunzie, the bluegown or the king's man, such as Edie Ochiltree, whose figure must have been familiar to the Stitchill wives and weans, ere he earned his repose in the churchyard of Roxburgh, the village idiot and the village poor, were loyally looked after. But the sturdy, vaguing beggar who would neither work nor want was a constant menace to the cottar and villager, and an unsolved problem to the kirk-session and the Baron Court.

Concerning another phase of Border life, there were not wanting in those days manifestations of the old daring spirit of their marauding forebears, who, like the Graemes, found the beeves that make their broth in Scotland and in England both. The iron hand of Cromwell rested too heavily upon the nobles to permit either of forays or of their keeping the crown o' the causey, yet their tenantry would not be withheld from their love of sport and fairplay. The old wild spirit still broke out at fairs and trysts, at New Year time, and on Sabbath days when business or worship was combined with the breaking of heads, and conviviality mingled with the bruising of limbs. But there was a day of reckoning; not of the 'rug and rive' kind, not with the ready lance of the old reiver, but in a place where the blood ran cooler, and where even-handed justice was meted out. The Baron and his fine, the stocks and the joughs at the kirk door, and the still more dreaded pit and gallows, wrought no weak nor ineffective vindication. So when in the Stitchill

Baron Court George French confessed that he 'committed blood' upon his servant Thomas Quhigginhall with only his hand, and no military weapon, he was fined £24 Scots. Again, when James Lambie and George French junior fell out, as lads have a knack of doing, James had to pay a fine of £5 or to go into the stocks at the kirk door during the pleasure of the laird. Then for their riot and profanation of the Sabbath, when two men in an inhuman and unchristian manner beat and struck one another in several parts of the body to the effusion of their blood in great quantity, they had to pay £50, and find caution for a hundred merks for their future good behaviour. Still, the calendar of crimes in the Baron's Court was light during all those hundred and fifty years. Small debt cases, trespass, and assaults comprise most of it. A tendency to detraction prevailed throughout, since this was the only weapon which the feeble might urge against the strong. Kirk and kirk-session, Baron Courts and Parliament, contended vigorously against it. For instance, three women were decerned to pay to the kirk-session towards pious uses, ilk ane of them, twenty shillings for slander. Another confessed that a certain man did steal her hen and make use of it, but could not sustain her charge by probation, for which she was ordained to stand in the stocks and pay unlaw by and attour the kirk censure. Isobel Turnbull may scold for forty pence; John Hoggarth's opprobrious speeches cost him thirty shillings. John French, for scandalling of James Dawson wrongously, in calling him thief and knave, paid a fine of £5 by and attour the kirk censure. Such were the crimes of lesser degree which characterised village life in the seventeenth and eighteenth centuries. But during the same period in Edinburgh, Leith, and other large towns, crimes of great magnitude were rampant, for which 'there was daily scourging, hanging, nailing of lugs, and binding of people at the Tron, and boring of tongues.' And curiously

enough, as regards drunkenness, the national vice, one may read of two cases only in the Baron Court Minutes for one hundred and fifty years ! There may, indeed must, have been others, private tipplers who did not come to the front ; but of these there is no proof. And one cannot but infer that the extreme and rigorous discipline then prevailing in Stitchill was an influence on the side of goodness and morality. And the laird was not slow to let his power be felt. Talking in the official language of the Acts of Parliament, on August 18, 1655, one finds, ‘The said Judge taking to his serious consideration the great disorders and abuse within this Barony by excessive drunkenness, scandal, sensuality, mocking of piety, and such other heinous and God-provoking sins and offences, therefore, conform to an Act of Parliament made at Perth upon the 7th day of August 1645 years, and ratified by another Act of Parliament, of date 13th February 1649 years, do statute, enact, decern, and ordain that none within this Barony and Jurisdiction drink excessively, nor be sensibly drunk, nor be known to be drunk, nor use filthy nor scurrilous speeches, and that none mock at piety under the pain of ten shillings Scots. It is statute that none curse, swear, nor blaspheme, under the pain of ten shillings Scots.’ ‘Scotland was in bad enough condition, but it was not Pandemonium ; not a scene of rapine, hatred, and universal anarchy. The great mass of the people went about their daily work with more or less content. Fields were ploughed and harvests gathered, crafts were followed, houses bought and sold, churches, castles, and cottages were built, schools quietly busy, knowledge spreading, religion deepening, and intellectual culture ennobled life’ (Ross, p. 291).

The Baron thus believed in keeping men sober by the Acts of his Court ; and he indirectly strengthened those efforts towards a stronger morality by an insistence on compulsory education. In this he was much in advance of his

times, although he was but following in the policy of John Knox of a hundred years earlier. The Baron put parents under a ten-pound penalty who failed 'to educate their children. He forbade a daughter to attend the sewing-school until she had been two full years at the public school. And on October 20, 1688, the judge, 'sitting in judgment anent a complaint given in by the school-master, which the said judge taking into consideration, enacts, statutes, and ordains the haill tenants within the said barony, who have children capable to learn, to send their children to the public school between this and Tuesday next under the pain of ten pounds Scots for each failure. And that none of the said tenants or cottars that have daughters shall send them to any sewing-school within the barony, until they have had two full years reading at the said public school under the penalty foresaid of ten pounds.' Towards the teaching of poor scholars, the Baron granted a small additional fee to the schoolmaster.

Passing now from matters educational to those ecclesiastical, it is found that the Baron in like manner supported the discipline of the Church. And this may have been all the more public-spirited of him, seeing that the tradition of his House was markedly Covenanting, while at the period under consideration, the Church of Scotland was at the beginning of her second Episcopacy. Although the Church was now in possession of her highest power, and exercised an unlimited authority over the religious practice and professions of the community, still she owned a number of black sheep, people who were recalcitrant and tried to evade her discipline. '1660, November 26 :—The said Baron taking into his serious consideration how great necessity church discipline of this parish has of the assistance and concurrence of the civil magistrate and help of his authority interponed thereto, and how necessary the same is for the thriving of

religion within this parish ; therefore the said Baron hereby judicially decerns and ordains his ordinary officer of the barony to put into execution all acts and decrees of the kirk-session against all persons whomsoever within this barony, and poind for all penalties and fines to be imposed by them, and take the extract of the kirk-session for his warrant.'

It would seem from the frequent repetition of such minutes as those, that the minister and kirk-session, with the assistance of the Baron, did their best to enforce the observance of the Decalogue. Their penitents underwent a severe and rigid discipline which sounds nowadays harsh and out of place. The Church had great faith in the power of shame ; so the stocks and the joughs, the cutty-stool and the fine, were the instruments employed for reforming the manners of the age. 'The Session decreed that if she so offended a second time, her craig be put in the joughs.' The minister of Stitchhill was quite abreast of the times, and did not fall under the censure of the presbytery as did a neighbouring one, neither having sackcloth in store for penitents, nor yet an hour-glass to see that the sermon was of the proper duration. At the invasion of Cromwell in 1650 his soldiers beheld with surprise and disgust, Independent and Puritan though they were, the degrading sentences inflicted by the Church for offences which they deemed utterly trivial ; and in a burst of rage they swept away repentance-stools, joughs, and sackcloth habits. The kirk-session of Stow, among others, resolved to pause in the exercise of discipline till the latitudinarian strangers had returned to their English homes. The Rev. David Starke was minister of Stitchhill at the time. One cannot tell now whether, in the language of the time, he was a 'very gracious young man.' It is known, however, that when two years later prelacy was introduced, he conformed and remained in office as minister of Stitchhill.

Rae, the English naturalist, describes the public worship in the Church of Scotland in 1661. He says : ‘ The minister in Scotland in the public worship doth not shift places out of the desk into the pulpit as in England ; but at the first coming he ascends the pulpit. They commonly begin their worship with a psalm before the minister comes in, who, after the psalm is finished, prayeth, and then reads, and expounds in some places, in some not ; then another psalm is sung, and after that, their minister prays again, and preacheth as in England.’ The worshippers had stools and chairs for their own use, which they removed or left at pleasure. In some churches the women were forbidden to sit upon the forms which men should occupy, and were made to sit together. During sermon the people usually sat with their hats on, and at times even applauded the preacher. During prayers the congregation observed an outward reverence ; kneeling being the common posture. After the *coup* associated with Jenny Geddes, the clergy gave up the habit of reading their prayers (1638). Twice a day the Covenanting Army of 20,000 men, encamped on Duns Law in 1639, knelt simultaneously at prayer. In the times of which we are speaking, the extreme party, developing into Protesters, were favoured by Cromwell, and by their spirit, and also by the course they pursued, rent the Church in pieces, and materially assisted the restoration of Episcopacy in 1662, and drove many into conformity with it who had previously imperilled life and fortune for its overthrow a quarter of a century before. The Resolutioners were those occupying the middle way, standing between Popish and Prelatical polity ; and some of them, like Dickson and Baillie, died of broken hearts as they perceived the one extreme pave the way inevitably for the other (Sprot and Leishman’s *Common Order*).

In connection with the church of such a parish as

Stitchill, there were two points which call for notice—the stress laid upon the sermon as opposed to divine worship, and the frequency of fast-days. Long sermons were then in the heyday of their glory; long prayers were more notable for their doctrine than for their devotion. Bishop Burnet, of a date a little later, probably with a spark of exaggeration, says, ‘The grace before and after meat they sometimes carried to the length of a whole hour.’ In the sermon, ‘all that passed in Church and State was freely canvassed. Men were as good as named, and either recommended to, or complained of, to God, as they were, or were not, of the same party as the preacher. The pulpit was a scene of news and passion.’ The sermons were really, however, abreast of the times. In them the preacher gave the latest intelligence, and criticised the actings of all in power. The sermon took the place of the daily newspaper, and the preacher the place of the leading article. The technical name for it was ‘bearing testimony.’ In *Old Mortality*, Mause Headrigg exclaims, ‘And I say that, wi’ this auld breath o’ mine, and it’s sair ta’en down wi’ the asthmatics and this rough trot, wi’ this auld and brief breath will I testify against the backslidings, defections, defalcations, and declinings of the land, against the grievances and causes o’ wrath.’ Bearing testimony supplanted the simple Gospel in those days.

The clergymen’s influence, too, often tended to intensify the divisive fervour of contention, rather than to promote moderation or wise forbearance. When Cromwell was in Glasgow in 1650, and went soberly to church, we read that Mr. Zachary Boyd railed in his face from the pulpit of the cathedral. Little wonder that the Protector did not relish that pulpit style; that on September 9, 1650, he wrote to the Governor of Edinburgh Castle, granting free liberty to ministers to preach, ‘but not to rail, nor under

pretence thereof to overtop the civil power or debase it as they please.'

Fast-days afforded an outlet to the expression of the religious feeling of that age. General Assemblies enjoined their frequent observance; and presbyteries and kirk-sessions loyally multiplied them in their own bounds. A succession of stormy winters, of bad harvests, of dear provisions, all on the one hand; rapid defeats of their arms on all sides, the overthrow of the General Assembly, and the diminution of the power of the Church contrasted with the conspicuous evils of the country at large, turned the attention of men in extremity towards days of fasting, humiliation, and prayer. 'Atheism and ignorance of God, His Word and works; looseness and horrible profanity in conversation; despising and slighting of Jesus Christ, His word and ordinances; neglect of family worship, covetousness, usury; not renewing the Covenant; defection from the Covenant; impenitency.' Such, in the exaggerated religious feeling of the stricter party, were the national sins of the time. And on their account fast-days were strictly enforced, as a nation's cry to God to avert His righteous judgments. The people had the heart and the honesty to acknowledge their crying sins, and were terribly in earnest. The same perfervid religious zeal which had led the grandsires of those men to endow monasteries, and confer privileges and lands on the monastic orders, that in turn led their fathers to the reformation of the Church, still burned within their breasts, made them 'not vulgar ranters, or hollow hypocrites, but men terribly in earnest, wrestling with God for the salvation of their country and their Church.' Names conspicuous for their zeal in the merit-roll of the Covenanters in the thirty years succeeding the opening of the Stitchill Records, show that 'at this age of unparalleled corruption and moral depravity, lived men, heroic, religious, and devoted, who, in the words of

their Covenant, endeavoured to be good examples to others in all godliness, soberness, and righteousness, and of every duty we owe to God and man.' The Kers, Pringles, Elliotts, Scotts, Riddels, Inneses, all ancient and renowned Border names, were in full sympathy with the principles of the Covenant, and exerted an undying influence on those living upon their estates. The memory of the heroic Henry Hall of Haughhead, of Sir Patrick Home of Polwarth and of Richard Cameron, of Donald Cargill and of Alexander Peden amongst the ministers, the memory of their patriotism, of their public spirit and loyalty to their religious convictions, is what we would not willingly let fade. But at the time of which these Records treat, they were in the very flower of their lives, exercising a powerful influence on the lives of the Border people. A famous name associated not only with the conjoined parishes of Stitchill and Hume at that time, but well known also as far up Tweed as Peebles and on to Lanarkshire, was that of William Veitch. For twenty years he was an outcast, preaching, harried and hunted during all that time from the Scottish to the English Border and *vice versa*. About 1676 he is mentioned as meeting at Hume with the field-preachers and country gentlemen, who were sentenced to be fined heavily if they permitted conventicles to be held on their estates. He frequently also conducted the celebrated conventicle at the Blue Cairn, between the Gala and the Leader, which after several years was removed to Fogo Moor. But it proved to be both the first and the last day of having a field meeting at that place, for on that very evening several troops both of horse and foot, coming from Haddington through the Lammermuirs, scoured the parishes of Gordon and Hume in search of Veitch. He escaped at the time, although the troopers passed the very place of his concealment, the house of Queenscairn in Stitchill, where the dowager Lady of Stitchill was residing. This brave Scots gentlewoman was the mother

of that militant Covenanter, Walter Pringle of Greenknow, second son of the laird of Stitchill, who shared the perils, the fightings, and the persecutions of those killing times. The tone of the lairds of Stitchill, when the Records open, was markedly Covenanting; it became a tradition of the family; and at a later date the head of the family originated the Secession (1732) in the parish from the Church of Scotland.

Among the farmers, tenantry, and cottars of the parish of Stitchill one does not meet with any Covenanters, although some there must have been who attended the conventicles. Perhaps the spirit that induced their minister, Mr. Starke, to conform to Episcopacy leavened them also, and they silently accepted the new order in the Church. Perhaps, too, the influence of the Earl of Home, a zealous royalist, the chief territorial magnate of the district, eclipsed the natural influence of the Pringles of Stitchill, and prevented both minister and people from acting otherwise than they did. One cannot tell now; but from the Records of that date one may infer that the minister, whether as Presbyterian or Episcopalian, satisfied the spiritual feeling and craving of the people by his ministrations.

Passing now to lighter matters, how did the cottars pass their leisure? From the Record of the last day of January 1658 we learn that the great bell summoned them at four in the morning, and that evidently in the depth of winter, and again it rang them to rest at eight in the evening. This latter was a survival of the evensong bell of the Roman Catholic phase of the Church:—

‘This battell began in Chyviot,
An hour before the none,
And when the evensong bell was rung,
The battell was not half done.’

The following lines of a different character give an idea of

some of the methods in which the cottars of Stitchill passed the time :—

‘ On a winter’s night my grannum spinnin’
 To mak a web o’ gude Scots linen,
 Her stool being placed next to the chimley,
 For she was auld and saw richt dimly.
 My luckydad an honest Whig
 Was telling tales of Bothwell Brig ;
 He could not miss to mind th’ attempt,
 For he was sittin’ pu’in’ hemp.
 My aunt, whom nane dare say has no grace,
 Was readin’ in the *Pilgrim’s Progress* ;
 The meikle tasker Davie Dallas
 Was telling blads o’ William Wallace.
 My mither bade her second son say
 What he’d by heart o’ Davie Lindesay.
 Our herd whom a’ folk hate that knows him,
 Was busy huntin’ in his bosom.
 The bairns and oyes are a’ within doors,
 The youngest o’ us chewing cinders,
 And all the auld anes telling wonders.’

Regarding the literature available to the commons of Scotland, a list has been left for our information by the author of the *Complaynt of Scotland*, referring to the period a century previous to the opening of the Records of Stitchill. There are fifty works in all, including the *Chronicles of the Lives of the Saints*, Chaucer, Barbour’s *Bruce*, Blind Harry’s *Wallace*, Mandeville’s *Travels*, Douglas’s *Palace of Honour*, Dunbar’s *Golden Targe*, etc. The names of some of their songs are also given, and include some known to ourselves and others not now recognisable : ‘ Pastance with gude companye,’ said to have been by King Henry VIII., ‘ Still under the leyvis grene,’ ‘ Cou then me the raschis grene,’ ‘ The Frog cam to the myl dur,’ ‘ O lusty May with Flora quene,’ and the ‘ Battell of Harlaw,’ now only extant in Ramsay’s version of the ‘ Huntess of Cheviot.’ A few of their dance airs are enumerated, such as ‘ All Christian Men’s Dance,’ the ‘ North of Scotland,’ ‘ Hunt’s up,’ ‘ Robin Hood,’ ‘ Tom of Lyn,’ the

‘Gossip’s Dance,’ ‘John Armstrong’s Dance,’ the ‘Schawman Dance,’ etc. And their musical instruments, on which these melodies were played, were a drone bagpipe, a trump, a corn-pipe, a recorder, a fiddle, a whistle, etc. (Ross, 261).

Athletic games among the rural tenantry were probably not very popular. Football, handball, and archery may have been the commonest. But regarding the last of these, its practice had to be compulsorily insisted on by Act of Parliament; and when such means even were not very successful, the potency of ridicule and satire was attempted by the poets of an earlier time, notably the kings James I. and V., in such poems as ‘Peebles to the Play’ and ‘Christ’s Kirk on the Green.’ Large gatherings from wide distances frequented their matches, indeed those were the means of collecting at times a large army unobserved. Thus when Sir Robert Carey was Warden of the Eastern Marches, he received information of a football match at Kelso. He found that his restless neighbour of the Middle Marches, Sir Robert Ker, was there with the ‘chief raiders.’ This was sufficient to excite his suspicion, so by a timely alteration of his plans he saved the lives of a number of his men and prevented much loss of property. In the year 1600 Sir John Carmichael, Warden of the Middle Marches, was killed by a band of Armstrongs on their return from a football match.

During the Commonwealth, when these Records begin, all manner of public festivals was severely discountenanced, Christmas or Yule, Pasch or Easter, and the observance of all saints’ days was censured both by Parliament and by the General Assembly. Marriages were happy blinks of sunshine in the perpetual dreary round of fastings and days of humiliation. And being so, they could not fail to attract the attention of Parliament and the General Assembly. Acts, ordinances, injunctions and recommendations against both the merriment and the expense were launched one after

another. The struggle was sharp and severe, and lasted long ; but such ceremonies as riding the braes, described by Burns, and creeling the bridegroom, lasted down almost to the present day. But the spirit of those early Covenanting times was against them all, and the Baron's Court had up the offenders frequently before its outraged majesty. Marriages, baptisms, and funerals were put under severe restrictions. The baron ordained that those celebrations were to be solemnised in a sober, decent manner, and that at marriages, besides the marrying persons and their blood relations, there shall not be present, nor meet on that occasion, above four friends on either side. And neither the bridegroom nor the bride, nor their parents nor relations, tutors or curators, shall make above two changes of raiment at that time. The penalties were : for landed persons one-fourth of their annual rents ; those not landed were liable in one-fourth of their moveables ; burgesses were to be fined not more than five hundred merks ; and persons of the meaner sort one hundred merks. And if the number of guests exceeded the limits mentioned above, the master of the house was liable in five hundred merks. For baptisms four outsiders only were permitted to be present. If the marriage dues were not settled within three days, the schoolmaster, as session clerk, was to receive other five pounds. And even so late as 1702 there occurs a Minute of the Baron Court anent supernumerary marriages, and entertaining more guests thereat than the law allowed. The Minutes of the Presbytery of Haddington and Dunbar, of date May 7, 1647, asserted with regard to penny-weddings that 'the paying of extravagant sums of twelve shillings for a man, and eight shillings Scots for a woman, that is, one shilling and eightpence sterling respectively, is the cause of great immoralities of piping and dancing both before and after dinner and supper ; moreover, loose speeches, singing of licentious songs, and

profane minstrellings in time of dinner or supper tends to great debauchery. Through all which causes penny bridals, in our judgment, become seminaries of all profanation.' For piping at bridals, Adam Moffat, piper, was by the kirk-session at Ashkirk, on November 16, 1638, ordained the next Sabbath to stand at the kirk door with a pair of sheets about him, barefoot, and bare-legged, and after the people are in, to go to the place of repentance, and so to continue Sabbathly, during their wills. The General Assembly inhibited also promiscuous dancing.

All over the Border district the rural population appears to have delighted in song. Peeblesshire may have been the exception, because Dr. Pennecuik, who practised in that county, relates how one might journey long enough, and not hear a ploughman whistling at his work, nor a dairymaid singing at the milking. But the existence of the old ballads, and of the old airs, recovered and preserved by Burns and Allan Ramsay, proves the contrary for all the rest of the Border country. Sang schools too had been in existence at the time of the Baron Court Records for over a century; they were a revival of the sang schools of the Roman phase of the Church of Scotland. These not only 'stimulated the study of music in Scotland, but secured greater efficiency in congregational singing.' We find as many as two thousand people singing the second version of the 124th Psalm to the very music to which it is still sung, and able to do so with a harmony of four parts. A negative proof of this love of song is to be found also in certain Acts of Assembly, which forbade under penalties the singing of profane, licentious songs and ballads. In fact certain ministers, such as the Wedderburns, made a well-intentioned effort to wed healthier sentiments to those popular airs and choruses—'to turn the tunes and tenour of them into godly songs and hymns.' To the popular melodies, new verses of a pious character were

added. If they did not further piety, they have served this end, that the obscene songs which they supplanted have disappeared; and their airs, low and debased as many of them are, survive. And they do not permit us to forget that love of song and music which made the Borderers maintain their piper and their harper. Minstrel Burn was the last of the latter; and probably Sir Walter had him in his mind when he composed *The Lay of the Last Minstrel*. Sir William Alexander and Drummond of Hawthornden were the poets of this period; its prose writers, especially in the domains of Church history and ecclesiastical subjects, being Baillie, Spottiswoode, Burnet, Rutherford, Guthrie, and Leighton. It must be kept in mind that in the Borders during the Covenanting period, songs and ballads were fewer than in the succeeding age. After the passing of the iron rule of Cromwell, when the Restoration was accomplished, a renaissance occurred, which attained supreme development in the times following the risings of the Fifteen and the Forty-five. The choicest ballads and melodies were then created. Sung at happy gatherings, printed on broadsheets, picked up by the children, crooned over by old carlines, happy in their youthful audiences, these songs and ballads lived to the times when Percy and Sir Walter Scott, and other collectors of our floating minstrelsy, saved them from dropping for ever into the quicksands of time. Most familiar then, and certain to be chanted at the ingleneuk, were the exploits of some neighbouring chief of the Douglas, the dead man that won the field of Otterburn; or that of Jamie Telfer o' the fair Dodhead, in which the old wild spirit of the Border foray is masterly portrayed; or, again, that of the daring rescue of Kinmont Willie from the castle of merry Carlisle by the bold Buccleugh fifty years later. Songs of lighter tone, like 'Tamlane,' or others of melancholy cast, like the 'Dowie Dens of Yarrow,' were heard within those lowly

cottage walls. Fairy-tales and superstitious stories were enshrined within those beautiful ballads. Thomas the Rhymer was the Merlin of that region. But higher up Tweed, by Drumelzier haugh, Merlin Lailoken prophesied himself once again. The tales and ballads became Cymric, not Border. The place-names, too, remind one that the British tribes inhabiting that part of Strathclyde brought with them their folklore and traditions of King Arthur, and Merlin and their great chief Vortigern, and the great peace apostle Kentigern. But this is a digression.

Saddest and most touching superstition of all was that of witchcraft. Here in the Baron Court Records may be read the reference to a man threatening to inform upon an old woman, in order to procure her own death by burning, and to consign her house to the flames. Within a mile or two of Stitchill Manse the tree is still pointed out which grew close to the site of the last witch-burning. On the road to Nenthorn, on the opposite side from Stitchill glebe, is a hollow on the roadside popularly spoken of as the Witches' Hole. Suspected persons were thrown into those pits full of water; if the body floated, the person was guilty; those who sank were pronounced innocent, but allowed to drown. In August 1661, John Rae mentions that during that month one hundred and twenty women were burnt as witches! For the two hundred years during which a belief in witches prevailed, nearly eight thousand persons were cruelly immolated. Witches were charged with a variety of offences. They were accused of stopping mills; as boulders, of impeding the plough; of riding upon the wind and foundering fishing-boats; of transporting themselves through space upon broomsticks; of casting the evil eye or glamour over a person, leading to illness, death, or misfortune; and in general with an intimacy with the evil one. The Church and the courts of law unquestionably accepted witches and their craft as an

existing evil and power ; and the Protestant Church of Scotland in this matter has its roll of martyrs as long or longer than the Church had in its Romish phase.

There was also the belief in the return from the dead. The Borderer could not bring himself to believe that the grave formed a real break in the continuity of the essential life of man. He passed only from the visible to the invisible, and naturally might still take an interest in the affairs of the world he had left. Now it was to expiate a deadly sin ; or to recover a troth ; or on account of disquietude with the voice of grievous mourning. Full of pathos, of beautiful, exquisite poetry, are such scenes conceived as may be read in such a ballad as the ‘ Wife of Usher’s Well.’

And in speaking of death, one is reminded from those records how in Scotland a body must be wrapped in linen, but in England in woollen, as the chief manufactures in the respective countries. In the reign of Queen Anne, however, it was decreed that every one should be buried in woollen ; and ministers were appointed to attend the placing of the body in its coffin, not specially for the purpose of committing it therein with a religious service, but in order to see that the law in the above respect was carried out !

Such are some of the manners, customs, and events described in the records of the Baron Courts of so little renowned a place as Stitchhill. Yet they are full of interest and charm, as signs of the progress made by our ancestors to a nobler and fuller life, signs of the struggles, the victories, and the defeats of our ancestors. They form no trivial possession ; they afford us no puerile study, no lifeless pursuit. They are traces of that past which has made way for this present—traces of the men by whom we live, of the ideas they held, and the work they performed ; of men like us, worthy or unworthy their position in the

history of the world, and in the destiny of mankind. Surely this whole field of study is full of interest in its bewilderingments, and confusions, its ceaseless strivings, foreboding fears, and almost hopeless hopes; full of interest in the height of the attainment to which it shows we have attained, and in the vision of that higher and more ennobling future which still holds our soul in rapt desire and mighty endeavour. Such a past then is not dead and buried, lifeless and annihilated; peopled by abstractions of men, by ghosts; but, using the forcible words of Carlyle, by 'men in buff or other coats and breeches, with colour in their cheeks, with passions in their stomachs, and the idiom, features, vitalities, of very men.'

GEORGE GUNN.



THE MINUTES OF THE BARON COURT OF STITCHILL

THE firste Court Barron holden at Stitchell upon the aught day of Jany. jajvi^c and fyfty fyve yeires, be the Right worthy Walter Pringle of Green Know,¹ In name of and having full power and commissioun fra the Right worthy Robert Pringle of Stitchell,² Barroun and heretable proprietor of the Lands, Parochin, and Barrony of Stitchell.

(1)
1655, Jan. 8.

Court lawfully fenced and affirmed.

The qlk day the haille tenents and coatters within the Barrony of Stitchell being all lawfully wairned and called, compeired all personally and tuike Instruments of their compeirance.

The qlk day also the said Judge [in compliance with the] Act for holding of Barroun Courts in Scotland hes elected and chosen fyfteen famous honest men of whois fidelity and qualificatioun he has assurance to pass voyce upon Inquest or The Inquest.

¹ He was the second son of Robert, the first laird of Stitchill. The elder son, John, predeceased his father, Robert, the first laird, leaving a family of eight children. The eldest of these was Robert, the second laird of Stitchill, and later, the first baronet (created 1683). Walter of Greenknow, uncle of the young laird Robert, had been living for five years at Stitchill House as curator of his deceased brother's children, ever since the Battle of Dunbar, at which he had been present. He continued at Stitchill House until November 1656, and thereafter went to Torwoodlee, the home of his wife. He is known as the Covenanter, and left behind him a manuscript memoir of his adventures and religious experiences for the use of his children, published by the Wodrow Society in their volume of *Select Biographies*.

² Second laird and first baronet, succeeded to Stitchill on the death of his grandfather in 1649. He inherited Newhall in 1667, on the death of Robert of Newhall; was created baronet in 1683. His wife, Margaret Hope, daughter of Lord Craighall, had nineteen children, of whom one was Sir John, the second baronet, and her second became Sir Walter of Lochton, knight, Lord Newhall.

Jury in all matters questionable within the said Barrony, viz., Wm. Haggeard, John Donaldsone, Adam Haggeard, Robert Hamiltoune, John Lowry, Richeard Guttraw, James Campbell, ab., Thomas Lambe, ab., Alex. Lowry, Abhm. Smythe, Ede ffrenche, Andw. Nizbet, Wm. Haggeard, Ed. Hamiltoune, James Lamb, ab.

The said fyfteen famous honest men compeired all personally and gave thair aithes of verity for faithfull and lawfull administratioun of thair office in all matters questionable and debateable to the best of thair knowledge In all tyme comeing without favor or haitred. The qlk day also Andro Giffen, John Donaldsone, Adam Haggeard, Robert Hamiltoune, John Lowry, Richeard Guttraw, Henry Hopper, Thomas Hamiltoune, Thomas Lambe, are elected and chosen to be Bourlawmen. And with advyse and consent of William Nizbet factor of the said Barony to desyde all matters questionable and debatable among neyborgs and to impose Stent and publick Impositions and to desyde the samyn equally and proportionally without partiality conforme ilke anes severall possessioun, with powr to any twa of them with the said William Nizbet ffactor forsaid to convey, stent, desyde and decerne efter mature deliberatioun.¹

The qlk day John Smythe is elected Bourlaw Officer, his aith *de fidei administratione officii*.

The qlk day it is statute and ordained that na swyne be seen in any Comoun of the town fra the tent day of May untill the first day of the teynding² be past yeirly under the paine of twentie shillings and that non of them be seine or found on the Commouns or growing corne betwixt the said dyets under the paine of foure pundes.

Also the haill tenants are ordained to be stented be the said

¹ The inquest or jury of fifteen men and the bourlawmen were elected by the judge himself; the former to administer that office in all matters questionable and debateable; and the latter, under supervision of the factor, to settle questions among the neighbours and to impose stent and other public assessments.

² This was the ingathering, by the owner of the teinds or tithes, of every tenth sheaf of grain as it stood in the stook on the completion of harvest, and before leading-in began. Tenants were not allowed to remove the crop till the teind-sheaves were drawn, and, as a further protection, swine were to be kept off the commons between the completion of sowing and the teinding of the reaped harvest.

Bourlawmen.

Swine on
Commons.

Wounded
soldier from
Dunbar.

ought stent maisters for payment to Thomas Quhyte¹ of Ten pundis Scots for his relieffe at the handes of Andro Pringle for tym cumeing of his wounds received be him at Dunbar Battell being putt furthe for the hail Barrony and the officer is ordained to poynd the recusants and dissobeyors proportionably.

The ffourthe Court Barroun² holden at Stitchell Kirke upon the twenty twa day of Marche jajvi^c and fyfte fyve yeirs Be the said William Nizbet in name of the said Robert Pringle, Barroun of the said Barrony. (2)
1655, Mar. 22

The qlk day Andro *alias* David Haggeart, is decerned Claims. to pay to Thomas Pearstone in Nenthorne Burne Brae that hail apprysd corne³ awand claimed be him efter the deposition of the Bourlawmen in Nenthorne for clearing or verifieing theirow, and thairefter ordaines the officer to poynd and make payment accordingly and assolzies the defender off the claim for eatten grasse.

Issobell Turnbull is decerned to pay to Edward Hogge for Fee. fee awght pundis three shillings with a paire of new hoase or tua elles of plaidin, becaus verified by his oathe.

William Hoggeart is decerned to pay to James Lambe ffifty three shillings.

The qlk day James Wood, younger is decerned to pay to Claims. Robert Hamilton qlk was arrested in his hands for his father nyne pundis ten shillings for apprised grasse with three firlofts of oates and foure fulle of aits destroyed eatten be

¹ Thomas Quhyte had been sent forth to the Scots army as the representative of the whole barony. He, like the laird's uncle, Walter, who was holding this court, had been present at the Battle of Dunbar on September 3, 1650, and had been wounded. This payment would correspond in the present day to a commuted pension for all time coming. Note the error, eight stentmasters being mentioned, while nine were elected.

² This court, over which the factor as commissioner of the baron presided, was held at the parish church, the predecessor of the present building (1905). It is called the fourth court, but was probably the second, as it is not likely that other two courts were held between 8th January and 22nd March, which is the date of this minute.

³ Apprised corn was corn which, having been damaged by trespassing animals, was now valued as to the loss incurred by its owner. Another claim, this time for grass, eaten also by trespassers, had not been proved. Nenthorn is the parish next to Stitchill.

himselfe with uther thre fulles of aits the pryse of the hail corne be the Inquest is modified to be six pundis sixteen shillings.¹

James Blaikie is decerned to pay to William Hoggearth twentie foure pundis confest by the defender.

Barbara Learmount is decerned to pay to Jon Lowry 4lib.

William Lowry is decerned to pay to Barbara Learmount, confest 50s.

Blasphemy and
scandal, 20s.

Thomas Bowtoun, Euphean Lambe, Margaret Muirehead, George Smith, and Margaret Elliot are unlawed in ilke ane twenty shillings Scots to be imployed *ad pios usos* for blasphemy and scandal.

Andro Giffen is decerned to pay to Robert Talzeor nyne pundis sixteen shillings and assoilzies the defender of the rest of the claime.

(3)
1655, Aug. 18.

The Set and Barroun Court holden at Stitchell Kirke upon the awghteen day of August 1655 yeare be William Nisbet ffactor and Chamberlaine of the said Barroun and having full power and commission fra the said Robert Pringle of Stitchell Barroun foresaid for that effect.

The qlk day the hail tenants of the said barrouny being called, compeared all personally.

Drunkenness,
'tc.

The qlk day the said ffactor and Judge takeing in his serious consideratiouns the great disorders and abuse within this Barrouny be excessive drunkenness, scandal, sensuality, mocking of piety and such uther heynous and God-provoking sinnes and offenses Thairfore conforme to ane Act of Parliament made at Perth upon the 7th day of August 1645 yeares and ratified be ane uther Act of Parliament of the dait the 13th² ffebruary 1649 yeares Doe statute enacte, and ordaine and decerne that non within the Barrouny and Jurisdiction drink excessively nor be sensibly drunke nor known to be drunk nor use filthy nor scurlus speiches and that non mock at piety under the paine of Ten shillings Scots *toties quoties*.³

¹ 'Eatten be himselfe' means that the oats had been eaten by his animals, in addition to grass eaten by the animals belonging to his father.

² The Acts of Parliament referred to are—1645, c. 49 (vol. vi. pt. i. p. 458) and 1649, c. 97 (*ib.* pt. ii. p. 174).

³ This minute is an example of the strictness of the morality insisted on under

It is statute that non curse swear or blaspheme under the paine of Ten shillings Scots *toties quoties* without modifi-
cation.

The qhilk fynes and amerceaments and penalties is to be employed for their Table uses be the advyce of the Minister and Members of Kirke-Session and by and attours thair Kirkes cervice, and ordaines the said awght men to take notice for observeing heiroyf. Fines go to Kirk Session.

The qlk day William Hogearth elder conforme to ane Act of Kirke-Session produced is ordained to pay to the said Session to be employed *ad pios usos* Three pundis Scots.

Issobell Turnbull is ordained to pay *ad pios usos* for scold- ing 40s. Scolding.

John Henreson is ordained to pay fourty shillings.

Margaret Muirehead is decerned to pay twenty shillings to the Kirk Session to be imployed for the use of the poore because the Act of the Kirk-Session was both instructed be production of the Session Buikes and verified be the Elders, thairfore the said ffactor ratifies and approves the said Act of the Kirk-Session thairanent.

Crystan Scott is decerned to pay to Isobell Lowry and John Galbraith her spouse for his interest Twentyfour pundis Scots money becaus the said defender compeired judicially and confessed the said claim, The Ground-maister being first payed. Claim.

The qlk day Andro Eiffen is decerned to give and delyver to William Hoggearth fyfe bolles of sufficient beir Kelso-measure unpayed of Twenty-ane Bolles conformed to his awin subscribed tickett.

The Heid Barroun Court halden at Stitchell Kirke the 27th day of November jajvi^e and fyfty and fyve yeirs Be the said William Nisbett ffactor haveing full power fra the said Right worthy Robert Pringle of Stitchell Barroun for that effect. (4)
1655, Nov. 27.

The qlk day Eupheam Lambe, Isobell Turnbull, and Janet Johnstone, are decerned to pay to the Kirke-Session *ad pios* Slander 20s.

the Commonwealth. The minister was the Rev. David Stark, M.A. He conformed to Episcopacy after the Restoration, and continued until 1683. The fines were to be devoted to the church for table uses—*i.e.* communion elements—also for pious uses, and for the use of the poor. Delinquents had to thole the censure of the church in addition to the payment of those fines.

usos ilk ane twenty shillings for slander conforme to the Act of the Kirke-Session and recommends the modification thair-of to the members of the Kirke-Session.

Schoolmaster.

Also that the haill tenants within the Barrony are decerned to pay proportionally to James Lennox schoolmaster in Stichell Twenty shillings Scots money yeirly during his service in tyme comeing at the Teirme of Mertimas and authorises his Barroun officer to poynd and distreinzie the failziers thairfor towards of payment being first terme and byepast.

James Blaikie is decerned to pay to Robert Bromfield tailour in Home¹ for grazing seventeen pundis twa fulles beir and a full of peise and ordaines Henry Hopper Robert Lillie and Richard Gottraw to take tryall thairof In respect of the defender present seikness and continues the reste of his claime to the nixt Court.

Accounts.

James Blaikie is decerned to pay to John Lowry Ten pundis and fyve shillings and ordains James Donaldson and Adam Hoggart for to heir all compts cleared betwixt the Defender and Issobel Pringle and ordains the Defender to pay to quit his awdit and finds that the said auditors are appoynted to clear whither James Blaikie be awand to James Wilson, merchant threttean pundis Scots money conforme to his lybell with a bolle of kyll-dried peis and efter thair report decret to be extracted against the defender.

Ale.

Alexander Lowry is decerned to pay to Anna Brommfield fourteen pundis for aill confest be the Defender the ground-maister being satisfied first, her being payed efter.

(5)
1656, June 19.

The ffyte Barroun Court halden at Stichell Kirke upon the nynteen day of Junij jajvi° and fyfty six yeirs forsaid be the said William Nisbet ffactor in name of the said Robert Pringle Barroun of the said Barrony.

The stocks
for unproved
case.

The qlk day being ane Heid Court the haill tenants, coatters in Stichell being all called, compeared personally and took Instruments. Agnes Blacke confest said Adam Lowry did fell her hen and make use of it and could not sustaine the same

¹ Home, three miles to the north-east of Stichill, was united ecclesiastically to Stichill. It is pronounced Hume.

be probatioun or otherways, qrfore she is ordained to stand The Stocks. in the Stockes and pay unlaw, by and attour the Kirke censure.

William Hoggearth is decerned to pay to Marioun Cossars Claim. twelve punds sixteen shillings with a load of coalles efter just compt and reckoning in presence of John Lowry and Richeard Guttraw within fyfteen days next efter this Court.

The qlk day George ffrenche is decerned to pay to Agnes Bairnesfather for fees aught punds Scots confest.

The Sixt Court Barroun halden by ye said ffactor in name (6) of the said Laird and Barroun.

The qlk day Anna Clapertoune and Alexander Lowry referred and submitted themselves bothe to the Decreit Arbitrall of Adam Hoggearth, Jon Donaldsoun, Robert Hamiltoune, William Hogge, Arbiters, and William Nisbet, ffactor, Odsman, anent claimes and matters questionable betwixt them.

James Blaikie is decerned to pay to Richeard Guttraw twenty Debt. punds principall becaus called and not compearing is holden as confest and the reality of the debt verified be witnesses.

James Donaldsone confest he comitted accidentally in his Assault £10. own defence blood fistulo upon John Smythe, Bourlaw Officer, and submits himself in the will of the judge qrfor he is unlawed in ten punds without modificatioun.

That blood alledged by the Pror. ffiscal to be comitted be Chancellor of Inquest. Issobell Turnbull upon Bessy Aitchiesons is referred to the Inquest and the Inquest being all inclosed did all in ane voyce elect James Campbell, Chancellor of the said Inquest.

The said Chancellor and Inquest all in ane voyce without Assault £10. variance or difference finds and decerns the said Issobell Turnbull to be guilty of committing the said blood accidentally, but not by presumptioun nor certain knowledge qrfor the said Issobell Turnbull is unlawed in ten punds without modificatioun.

Allisoune Hamiltoune and George Pattersoune her spouse are absolved of that quey acclamed fra them be George Hamiltoune hir father because the pursuers failzied in their probatioun.

Ailisoune Hamiltoune and George Pattersone are decerned to pay to George Hamiltoune hir father, cleared be this Inquest, nyne punds.

(6 continued)
1656, Nov. 13.

The Sixt Barroun Court holden at Stithell Kirke upon the thretteen day of November jajvi^e and fyfty six years be ye said ffactor in name of the said Barroun.

Harvest fee
and Bountith.

The qlk day James Blaikie is decerned to pay to Thomas Ingles in Hume for harvest fee, and Bounteth, fourteen punds, twa fulls beir and halfte a full of peis, and contineues extract qle Henre Hoggearth and Wm Scot heir the defender of his just absence. The qlk day it is statute and ordained that all eatten corne be the neighbour or others be persewed within yeir and day after the date thairof with all expenses bestowed in persewing thairof in tyme cumeing gif Justice be not vaicand for the tyme or other way, persewers not to be heard and all the expenses to be payed be the defender. The qlk day John Lowry, Adam Hoggearth, and John Donaldsone, are appointed to be auditors to the claimes given in be James Wood against Robert Hamiltoun and James Blaikie and others and they efter trew tryall to decerne against them lyable and payable to the said persewer as if it were done judicially within fyfteen dayes.

Eaten corne.

Auditors.

Kiln.

The qlk day William Hopper is decerned to pay to Thomas Vair for fee sixteen punds qrof to be deduced for fyreing of his Kille in his drunkenness six punds so reste ten punds. John Donaldsone is decerned to pay to Issobell Turnbull fyve full of oats or fyve punds for the pryce thairof. The qlk day James Hall is elected Pundler¹ or Bourlaw Officer, who deponed his aith *de fidei administratione officii* and ilke lande in the Nethertoun to pay to him yeirly a full of aits only.

Pundler.

(7)
1657, Feb. 9.

Seventh Court Barroun holden at Stithell Kirke upon the nynt day of ffebruary 1657 yeirs be the said ffactor in name of the Barroun foresaid.

Lady Stichill.

The qlk day the haill persones lyable in payment of the remains of the Castellwairds are decerned to pay conform to the lybell given in be Robert Dickson servitor to the old Laidy² and also these who are restand thair proportione of fyfty foure punds are decerned to pay yr severall proportiones. William Lowry is decerned to pay to Maissie Hunter

Claims.

¹ A distrainer or poulder.

² This would be Katherine Hamilton, mother of Walter the Covenanter, and grandmother to the laird Robert Pringle.

confest 3lib. 16sh. William Nisbet is decerned to pay to William Hoggearthe declaired be John Lowry elected be 5libs. 1d. Andro Giffen is decerned to pay to George Cranstoune in Nenthorne of the superplus of twa horse fyve pundis 4sh. verified by the mestres executioun with a dischairge for fyfty merkes. William Hopper is decerned to pay to George Smith for the pryce of foure bolles of bere confest twenty pundis. James Blaikie is decerned to pay to Mathew Thompson conform to his Bond sixteen pundis. James ffairbairne is decerned to pay to George ffrenche for hirding, thre pundis with a cloacker. Alisoune Hamiltoune and George Cossar her husband are absolved of a fulle of bier expenses in going out of Barrony with thre pundis for a queys food Sumer and Wintar with some of his meir acclaimed to him cleared be the said Alisounes oathe. George Smithe is decerned to pay to James ffairbairne 4libs. James ffairbairne is decerned to pay to George ffrenche for a yeirs maille of a house forty shillings with. . . .

Heid Court Barroun holden at Stithell Kirke upon the eleventh day of July jai^{vi} and fyfty and seaven yeirs, be the said William Nisbet ffactor forsaid and in naime of the said Robert Pringle Barroun above descrybed. The qlk day the haill tenants and coatters being all lawfully warnid to this Heid Court called and compeared and tuike Instruments of thair compeirance.

(8)
1657, July 11.

The qlk day the said ffactor and Judge haveing heard the Assault £24. clame and lybell given in by James Lennox, Pror. ffiscal of this Court against George ffrenche and Thomas Quhiggen-shall his servant for blood committed be them upon others the said George ffrenche compearing confest the committed blood upon the said Thomas with his hande without any militar weapons less or mair he being provoked thairto be the said Thomas as was clearly understood be the said Judge, thairfor the said George unlawed and amerciat in twentie Unlawed. foure pundis and the said Thomas called and not compearing qrfore he is unlawed and amerciat in twelve pundis for bloodwyte and wilfull absence.

The qlk day John and Thomas Henrysones are unlawed in

Riot 40s.

fourty shillings for Ryot and straickes committed be thaim upon Margaret Dickson and the said Margaret is americiat in twenty shillings for provoking them thairto. George ffrenche is decerned to pay to Marke Urmestoune in Smailholme¹ confest be the defender twelve pundis 13s. 4d. of peise and the Bolle yrof.

The qlk day James Wood now in Harlaw has willingly enacted himselffe to compeare at next Barroun Court and instance by the just pursuite of Robert Lillie smythe in Stichill and bothe by the just decret thairto he being lawfully wairned be the officer else to be holden as confest notwithstanding he be moved out of the Barrouny.

Grass maill.
Mill-stone
silver.

George ffrenche is decerned to pay to James Wood in Harlaw aught merkes for grass maill with twelve sh. and 8d. for myllestone silver. Thomas Lambe is decerned to pay to the said James Wood confest by himself foure merks. John Welshe is decerned to pay to William Nisbet proven be witnessses for holding of ye pleughe fourty shillings.

Holding
plough.

Adam Quhyte is decerned to pay to William Nisbet yearly dureing that possessioun of that land possessed be him for a soumes grass 40s.

James ffairbairne is decerned to pay to James Hamiltoune proven be witnessses fyfty shillings.

Eaten corn.

William Hoggearth is decerned to pay to John Donaldson for his proportioun of eatten corne twenty six shillings 8d. or the trew pay of a bolle of aits.

Fee.

William Moffat is decerned to pay to James Alexander for fee to his nephew foure pundis 13s. 4d. with a pair of old hose or 8d. for the pryce.

Law Burrows.

The qlk day George Hamiltoune is becum cautioner Sewertye Law Burrows for Margaret Dickson his just spouse that John Henryson his wife, Bairnes and others pertaining to him that he be harmeless, skaithles of the said Margaret on body gudes or name and the said John Henryson is becum acted and bunde that the said George his spouse and ye

¹ One of the many branches of the Pringle family had been long settled at Smailholm, about five miles west of Stichill. John Pringle of Smailholm, youngest son of David Pringle, slain at Flodden, married Margaret, daughter of Sir James Gordon of Stichill and Lochinvar.

foresaids shal be harmles and skaithless of him or any of his directly or indirectly in all tyme cuming utherwayes nor be order of law and justice under the pane of twenty pundis. It is subscrybed George Hamiltoun. Tho Pearstone Noty. Pub.

Court Barroun holden at Stichill Kirke upon the thyrday of October 1657, ⁽⁹⁾ Oct. 3. and fyfty seven yeire be the said William Nisbet ffactor in name of the said Ryt Worthy Robert Pringle of Stichell Barroun forsaide. The qlk day it is statute, enacted and ordained that all these fyfteen men elected for the Inquest be all personally present at ilke Barroun Court, and that non of them be absent without a lawful excuse given be them twelve hours befor Court under the paine of twelve shillings for ilke failzier.

George ffrenche is judicially absolved of that persuit be Thomas Quhigginshaw for releiving him of any unlaw or amerciament becaus Robert Lillie and Thomas Lambe, as witnesses for baithe parties being sworne and examined depoued they never heard the said George ffrenche promise to due. Absolved.

The qlk day Richard Guttraw is decerned to pay to John Thompsone, wobster be oathe of the persewer 30s. Scots.

Issobell Turnbull is decerned to pay to William Turnbull her manservant for bygane fee fyve pundis 10sh. with a new harden shirt. Fee £5. 10.

The qlk day it is statute, enacted and ordained that all persewers cause summoned and wairned the defenders within this barrony the day befor the Court (unless they be strangers). The qlk day Robert ffairbairne is elected ane of the Inquest who gave his oathe *de fidei administratione officii*.

Heid Barroun Court halden at Stichill Kirke upon the 19 day of Jany 1658 be the said William Nisbet ffactor in name of the said Robert Pringle, Barroun. ⁽¹⁰⁾ 1658, Jan. 19.

The qlk day the haille tenants and coatters within the Barrony of Stichill being all called and compeired personally and tuike instruments of their compeiring.

The qlk day Andro Giffen is absolved of that twelve lib. acclaimed fra him be William Hopper for eatten corne becaus the persewer failed next probatioun.

The qlk day the said Judge having heard the claim given in be James Lowry against George Hamiltoune as Intromettor with the guids and gear of the decest Issobell Johnstoune for the payment of 3lib. with 4 kayne hens for the maill of a coatt hous for a yeire set be the persewer, and possesst be her. The claim being verified by Robert Aimer and Issobell ffall-syde who deponed on thair aithes of the treuthe of the samyn qrfore the Judge decerned the said persewer to be payed conforme to the claime with fyve shillings for ilk hen of the Readiest of her guids within this Barrouny, and ordained to poynd and appryse the samyn and make the said persewer to be completely payed of the said Coatt house maill and kayne or pryce foresaid.

Kayne hens.

The qlk day Andro Giffen is decerned to pay to James Donaldsone eleven halffe fulles of eatten aits or 5lib. 10 shillings for the samyn.

Eaten oats.

Reffers that blood alledged committed be Ailison Armstrong upon Joannet Johnsoune to the Inquest.

Claims.

The qlk day Adam Hoggeard is decerned to pay to Thomas Hoggearth 20lib. at ane tyme and 20lib. at ane uther tyme after Compt made befor John Donaldsoun and John Lowry arbiters and Ro. Hamiltoune Oddsman within 15 days and quhatsoever the arbiters decerns the persewers and defenders are bund to obey and they have baith subscrybed this judiciall submissioun with their hande. Se it is so subscrybed,—Adam Hoggearth, Thomas Hoggearth.

The qlk day Andro *alias* David Hoggeard confest him to be awand to the said Thomas Hoggearth 31lib. qrfor the defender is decerned to conform to his awn confessioun.

Trespass.

The qlk day it is statute and ordained that none goe to the Mylle thro the Mainrigg quheit under the paine of 2 shillings Scots to be payed be ilke qho contravenes, and collected by John Lowry officer and to be employed *ad pios usos*. The said Ailisoun Armstrong is convict be the Inquest in committing the said blood upon Joanet Johnsoune, qherefor she is unlawed and americiat in 10lib. Scots. And the said Joanet is Bloodwyte and is unlawed in 4lib. in the mercy of the Judge.

Bloodwyte.
Vicarage teinds.

The qlk day Mungo Wady and Joannet Weddel are decerned to pay their proportionable pairts of the Vicarage for the

Vicarage Teinds¹ which their houses and lands awand unpaid for all yeires be them and sikelike in tyme cumeing at the sight of the 15 men of the Inquest.

Court Barroun holden at Stichill Kirke upon the penult day of January jajvi^c and fyfty aught yeires be the said William Nizbet, Barroun-Bailzie in name of the said Robert Pringle Barroun of the said Barony. (11)
1658, Jan. 30.

The qlk day these men of Inquest being all called, compeired personally.

The qlk day it is statute and ordained that ilke ricke house within this Barony shall pay to Johne Underwood Beddell and Beadle. to his successour for the ringing of the bell twelve pennyes Bell ringing. yeirly betwixt Mertinmes and Yuille beginning now presently and sua furthe yeirly in tyme cumeing. Also it is statute enacted and ordained with consent of the Inquest that ilke husband-land in this pariche shall pay yeirly to John Underwood Beddell and to his successors for ringing of the Great Bell at foure houres in the morning and at awght at nyt dayle half a pecke of aits. And the said Bellman is ordained to ring the said Bell in the Sumar and Winter after dait hereof punchewally and is to begin his payment the firste of Marche next tearme 1658 and sua furthe in Marche yeirly be and attour his werk penny ten shillings therewith.

The qlk day also ilke Craftsman within this Barony is decerned to pay to the said Bellman and his successors yeirly for ringing of the said Bell twa shillings Scots money by and attour Stent of the land possessed by them.

The qlk day the haill tenants in the Nether town are decerned to pay and stent proportionably to William Hopper Quarters to a corporal. for quarters to an Coupural² seventeen merkes and ordained the Barroun Officer to stent the samyn equally and poynd therefor proportionably.

¹ These were the small teinds of calves, lint, hemp, eggs, etc., payable to the vicar, as distinguished from the more valuable teinds of grain, payable to the parson. Subsequent to the Reformation the vicarage teinds of Stichill were bestowed on the minister of the parish. See *Early History of Stichill*, pp. 9-11.

² Here, a corporal, probably of the Sectarian army, was billeted upon the villagers.

(12)
1658, April 19.

Court Barroun holden at Stichill Kirke upon the nynteen day of Apryll^e jajvi^e and fyfty awght yeires forsaid be the said William Nizbet forsaid in name of the said Robert Pringle.

The qlk day the said men of Inquest being all called compeired all personally.

Claims.

The qlk day George ffrenche is decerned to pay to William ffrenche for Service, resting of fee and Bountith confest foure pundis fyve shillings Scots. John Windrim is decerned to pay to Robert Lilly smith 5lib. Scots compleit payment of ten libis. James Hamiltoun^e fflescher is decerned to pay to James Campbell in the Mylle 20libis. with 30 shillings of expenses within fyftene days or else persewer to be in his first place as they first agreed and gave the benefait of four fulles of aits sowing. This soume at Mertinmes next to cum qrof there to be deduced 28 shillings.

The qlk day Andro Giffen is decerned to pay to Issobell Pringle confest 9lib. 10 shillings. The qlk day James Donaldsone is assolizied of ten merkes acclaimed fra him be Issobell Turnbull for a wendow. James ffairbairne is decerned to pay to Andro Giffen confest be the defender 20libis.

(13)
1658, Nov. 23.

Court Barroun holden at Stichill upon the twenty thyrd day of November 1658 be the said William Nizbet ffactor forsaid. Court lawfully fensed.

The qlk day the samen men of Inquest being all called, compeired all personally.

Beir.

Thomas Henryson is decerned to pay to Johne Brattisone in ffallsydehill foure pundis 40d. with halfe a pecke of Beir

Peats.

for the pryce of a stacke of peits. The qlk day James Prestoun^e is decerned to pay to John Gottal confest 50 merkes, with 30 shillings for the byegane annualrents thereof 18libis payable at Mertinmes last and fyfteen pundis 6s. 8d. with the said 30 shillings of annual rent at Candlemes jajvi^e and fyfty nyne yeires.

Interest.

Accounts.

Cirstan Scot called and not compeiring is decerned to pay to the said John Guttraw efter juste Compte and reckoning 20 libis. James Prestoun^e is absolved of that claime persewed be Richard Peatt be the defender his aithe. Andro *alias* David

Hoggeard is decerned to pay to Mark Wilson confest 15lib.
John Wood is decerned to pay to James Wilson confest 9lib.
4 shillings.

The qlk day it is statute, enacted and ordained that the Herdsmen.
hail tenants within this Barrony shall provyde themselves with
sufficient herdes for keiping of their Bestiall and saveing of
their corne in tyme cumeing, and that they fee or hyre no
herds but only those who are sufficient and able, and they are
to produce their herds at the first Bourlaw Courts yeirly to be
holden to be approuen be the fyfteen men of the Inquest.
And ilke ane qho fee ane insufficient and unable herd to pay
5lib. The qlk day the hail tenants are to attend within this
Barrouny Court and have obliged and enacted themselves to
pay their hail rents unpaid for Mertinmes last 1658 yeires Rents and
Duties.
and all their byegane dewties for their yairdes and lands pre-
ceding, awand and unpaid within 15 days under the pain of
poynding, and hereto they have willingly enacted themselves
judicially.

The qlk day it is statute and ordained that all the eaters of Eaters of corn.
corne be admonished to heir and see the samen apprysed be-
fore the apprysing heirop, and the eater efter the samen is
proven verified or confest is decerned to pay for the Bourlaw
Drinke. Thomas Pearsons Notar pub.

Court Barroun holden at Stitchell Kirke upon the nynt day
of January jajvi^c and fyfty nyne yeirs. Be the said William (14)
1659, Jan. 9.
Nizbet factor forsaid.

The qlk day the hail tenants and coatters within this Claims.
Barrony being all called at ane heid Court compeared all
personally.

The clames be John Thomsoun against Robert Hamiltoun
for nyne half fulle of aits is continued to the nixt Court.

Alexander Windrim couper in Stitchell is decerned to pay
to Thomas Ker Merchant in Kelso 36 pundis Scots.

Andro Giffen is decerned to pay to James Campbell fyfty
shillings Scots in full of complete payment of the pryce of
Twenty Bolles of aits or any uther thing qlk any of them can
or may aske or clame fra uther for any caus or occasioun
begane.

Andro Giffen is decerned to pay to Catherein Hamiltoune Lady Stitchell eldest,¹ for the agreed pryce of foure Bolles of Beir confest fourty merkes.

Lady Stitchill.

These tenants lyable in payment of Hoppers grass Maill to the Laidy for byeganes confest are decerned conforme to the claime.

Trespass.

The qlk day it is statute, enacted and ordained that al Beasts heirafter found or seene upon the cornes of the Craigs Steills or Humly Knows betwixt the two gaits at the eist end of the Over toune without a hird on the corne shall pay, ilke nolt or horse two shillings Scots and ilke sheir without a hird 4d for ilke fault.

(15)

Upon the . . . yeires be the Ryt Worthy Robert Pringle of Stitchell Barroun for said Barrony first Court halden be himself being present and William Nizbet factor forsaid.

Miller not to be prejudiced.

The qlk day it is statute and ordained that non within the Barrony sell their grinding cornes in the Mercat or uther ways in prejudice of the possessor of Stitchell Myllne. But that they bring their haill grinding corne for the use of their families to the Mylle and pay Mylle dewties² use and wont therefor under the paine of fyve pundis and that the said Myller keip the said Mylne in guid order and do thankfull service to the people theirby, by serving them under the like paine.

The qlk day the Laird himself being personally present of new agane as before nominated and elected the said William Nizbet factor forsaid to be his Balive and to continue in administratioun of justice as before in the Lairds absence as if he were personally present himselfe.

The qlk day it is statute and ordained that the possessors of ilke six quarters of land in the Over toune shall keipe a sufficient standing hirde yeirly and pay him proportionally, and

¹ This is the aged dowager, grandmother of Robert Pringle the laird, and mother of Walter the Covenanter. The designation 'eldest' would seem to mean that now there was another Lady Stitchill, wife of Robert the laird.

² This minute deals with the vexed matter of thirlage. All the tenants of the barony were bound or thirled to the barony mill. Corn was not allowed to be sold out of the barony, unground, as thereby the miller would lose the duty payable for grinding.

stent conform to their severall possessions under the paine of fyve merkes for ilke failzie by and attour the performeing of this Act.

The qlk day John ffrenche in Over Stitchell is decerned to pay to Bessie Thomson his sister twentie foure pundis Scots conforme to his Bond and judicially confest be him, at three termes to witt aught pundis presently, awght pundis at Mertinmes nigher 1660 yeires, and uther awght pundis in compleit payment of the said haill soume by Mertinmes 1661.

Bessie Jamieson is decerned to pay to Johne Wilsone confest be the defender three pundis Scots and the defender is judicially assoilzied of the rest of the claime in all tyme comeing.

Continews that claime be Andro Giffen against Johne Windrim couper for twentie pundis to the nixt Court becaus of the Defenders absence. Thomas Pearson Notar Publict.

Court Barroun holden 17 February 1659 place forsaid, be the said William Nizbet ffactor forsaid. Court lawfully fenced. (16)
1659, Feb. 17.

The qlk day William Hopper in Stichill is decerned to obey the Decreit Arbitrall to be pronnounced by the Arbiters already chosen, Robeart Alexander, Croftar in Hume, and him and Adam Hoggearth anent the claim persewed be the said Alexander against the said William, and the said Arbiters are to pronounce ther Sentence betwixt and the 5th day of Marche next 1659, and ordains the ordnar officer of the Barrouny to put the Decreit Arbitrall to execution against the said defender. Claim.

David Hoggearth is decerned to pay to Isobel Charterhouse for harvest fee confest 7lib. ten shillings. Harvest Fee,
£7. 10s.

David and William Hoggearth are decerned to pay to Margaret Trottar for fee and Bountith confest 16lib. 10 shillings with 3 ells and 3 quarters of harden. Thomas Lambe is decerned to pay to George Smyth confest 26lib. George ffrenche is absolved of foure pundis acclaimed be Jean Blacke becaus she refuseth to depone. Fee and Bountith, etc., £16.
10s.

The qlk day it is statute and ordained that all within this Barrouny lyable in payment to Isabel Pringle or uther aill- Ale sellers.

sellers shall be decerned be the Bourlawmen if it be confest be the pairty or verified be the persewer providing the clames do not exceed 50 shillings Scots.

Accounts.

James Hamiltoun is decerned to pay to William Welche for all bygane clames or Compts qlk the said William can clame fra the defender preceeding the dait heirof 3libs. 14 shillings Scots. Thomas Pearsone Notar Public.

(17)
1660, Jan. 28.

Heid Barroun Court halden at Stichill Kirke upon the 28 January 1660 be the said William Nizbet ffactor in name of the said Ryt Worthy Robert Pringle of Stichill Barroun forsaid.

The qlk day the hail tenants and cottars within this Barrouny all compeared personally and tuike Instruments of their compeiring.

Assault, £20.

The qlk day John Guttraw confest he committed blood upon Richard Gothraw his younger brother being provoked swa to do be the said Richeard wherefore he is unlawed and amerciat in twenty pund Scots.

Bloodwyt, £10.

And the said Richeard confest him to be guilty of Bloodwyt wherefor he is unlawed in ten pund.

Claim.

That clame be Andro Giffen against John Windrim Couper for twenty pund is of new again as before continewd to the next Court becaus of the Defenders absence.

Claim.

5 Fulle of Beir
@ £10.

Thomas Lambe is judicially decerned to pay to Robert Lilly smyth in Stichill aither 5 fulle of Beir or ten libs. for the pryce therof with uthir 30 shillings with 12 shillings of penalty confest.

Lady Stichill.

The qlk day Robert Lilly smith in Stichell as the Cautioner of James Lilly smythe in Sproustone his brother is judicially decerned to pay to Kathrine Hamiltoun Lady Stichell eldest, confest and instructed be the Bond produced with the clame 50libs. Scots money principall awand of a greater soume with the ordinar annual rent of the said fyfty pund for ane yeir bygane with power to the said Defender Cautioner to persewe the said principall for his relieffe.

Cooper and
Smith.

Alexander Windrim couper is decerned to pay to Robert Lyllie smythe confest nyne pund ten shillings. The Land and ground maister being first payed. Thomas Pearsone Notar Public clk.

The qlk day George ffrenche is decerned to pay to Margaret Claim. fairbairne relict of the deceast Thomas Hamiltoun in Over Stitchell being referred to the aithe of the defender 19lib. 16 shillings.

William Hoggearth *alias* Hynde is decerned to pay as Cautioner. Cautioner for Robert Gibesone in Lowest Gordoune to William Nizbet ffactor to the Laird of Stichel for his pryce of 6 fulle Beir at eleven pundis the Boll 13lbs. 4 shillings. Beir £11 per Boll.

James Campbell is decerned to pay to Richeard Guttraw Claim. confest for seaven halfe fulles of aits apprysed be the Bourlaw men 4lib. 13sh.

The qlk day George ffrenche in Over Stitchill is judicially decerned to pay to the Ryt Worthy Margaret Scot Lady Stitchill younger 100libs. Scots money due to her for their lands confest be him pertaining to her in liferent for Martinmes last bypast 1659 yeires, together with the hail byegane termes awand by him to her for all yeires trysts and termes bygane and sik lykes in tyme cumeing the tymes of payment being first cum and by past. Lady Stitchill younger.

Barroun Court holden at Stitchill Kirke upon the 26 November 1660 yeires be the Right Worthy Robert Pringle of Stitchill Barroun and William Nizbet his Balive forsaid. (18) 1660, Nov. 26.

The qlk day Henry Hamiltoun in Queenscairn is judicially decerned and confirmed in his ane confessioun to pay to Alexander Hogge in Home aither eleven halfe fulles of aits or 10 merks for the payment therof. Claim.

Andro *alias* David Haggeard is decerned to pay to Robert Lillie smythe for the pryce of 11 halfe fulles of peas at 13 pundis the Bolle, 14libs. 6 shillings or 36 shillings utherways etc. Peas, £13 per Boll.

The qlk day Mungo Wady in Over Stitchill is decerned conform to his ane confessioun to pay to George Bell thair, 18lib. 3 shillings at three tymes, to wit 6lib. 1 shilling at Yuille only to cum, and sua furthe at the tyme of Yuille yeirly, till the compleit payment of the principal sowme because of the Defender his present poverty and inability. Payment at Yuille.

The qlk day James Lowry is decerned to pay Kathren Hamiltoun in Sproustone confest 20libs. at Yuille to cum, the Laird being first paid.

Rent of house
£6.

Alexander Windrim, couper is decerned to pay to Robert Dickesoun Domestic servitor to the Laird for the maill of a hous 6libs. That claime be Agnes Pattersone against Alexander Lowry is continued to next Court.

Iron girthe £6.

The qlk day James Campbelle is judicially absolved to 6 libs for the alledged pryce of ane yron girthe for a mylle acclamed be James Wood in Ednam Mylle becaus the said girthe was on the stain as a pairt of the myll graithe at his removing without qlk girthe the myll was not sufficient in operation sua that of necessity it lay on the myll a yeir efter the said Defender his entry and the said persewer his deceast father found ane yron girthe in the said myll at his first entry thairto, sua he ought and should leave ane uther. Nevertheless the said persewer without caus appealed and required Instruments.

Claims.

Bessy Bell is decerned to pay to William Huteson upon the aithe of the persewer 5lib. 18 shillings. John Dickesoun is decerned to pay to Adam Quhyte upon the Defender his oathe that he was awand no money to the persewer his deceast daughter six libs.

Mungo Wady is decerned to pay to the said Adam Quhyte 4libs. qlk he borrowed fra his deceast daughter be her father's knowledge befor her decease. James Hamiltoune is decerned to pay to the Lady of Green Knowe¹ confest 3lib. 12 shillings. The qlk day Bessie Bell relict of the deceast William Wilson is judicially decerned to William Hopper aither twa Bolles outfield aits or else 5libs. ilk Boll therof.

The qlk day Janet Johnsoune and George Hope her spouse for her interest are decerned to pay to Johne and Margaret Dows Lawful Bairnes to the deceast John Dow in Nenthorn and to ther tutors curators in ther name for ther behooves 5libs. intromitted with and be her uplifted fra Robert Hamiltoune, James Campbell and David Hoggeard wherefor the said three persons are absolved of the samyn becaus the said Joanet grantit the receipt therof fra them.

Assoilzied.

John Guttraw is judicially assoilzied of 4libs. acclamed fra him be William Taillzier for land teilling becaus the said

¹ Mother or wife of Walter the Covenanter.

William failzied in probatioun. The qlk day Issobell Stevinson relict of the deceast James Donaldsone is decerned to pay to Margaret Trotter her mother-in-law 9lbs.

The qlk day the haill tenants within this Barrony of Stitchill agree to pay to James Lennox schoolmaster and precentor in Stitchill 40lbs. Scots money proportionally amongst them, ilk ane for ther awin pairts yeirly conforme to ther severall possessiouns at twa teirmes of the yeir Mertinmes and Whitsunday for all teirmes to cum dureing his service and serving the Cure of the said Kirke as a precentor and siclike for all yeires and teirmes bygane restand awand and unpaid.

Schoolmaster
and Precentor.

The qlk day the said Barroun takeing to his serious consideration how great a necessity Church Discypline of this Paroch has of the assistance and concurrence of the Civil Magistrat and helpe of his authority interponed thereto, and how necessar the samyn is for the thryvening of religioun within this Paroch, Thairfor the said Barroun heirby judicially decernes and ordaines his ordnar officer of the Barroun to put in execution all Acts and Sentences of the Kirke Session again all persouns whomsoever within this Barrouny and poynd for all penalty and fynes to be imposed be them and take the Extract of the Kirke Session their Act for his Warrant.

1660, Nov. 26.
Act in favour of
Kirk Session.

The qlk day the haill tenants within this Barony lyable and dew for payment of Grass maill and mylle-stain silver at this term of Mertinmes instant 1660 yeirs are decerned to pay the samyn proportionally for the said term and all the uther yeirs and teirmes preceding restand awand and unpaid. The qlk day the haill tenants within this Barrony who are awand their Entreis money are ordained to pay the annual rent therof for all yeires and teirmes bygane sen the daits of the severall Bonds therfor; and also of all bygane maills and dewties restand awand and unpaid be them ilk ane for ther awn pairt.

Grass-rent and
Mille-
stone-silver.

The qlk day the said William Nyzbet ffactor and Balive forsaid is of new again commissiouned and auctorised be the said Barroun judicially to continew Bailive in the Laird's absence and to keep Courts as befor till he be discharged be the said Laird.

Entry money.

Bailie.

Heid Barroun Court holden at Stitchill Kirke upon the

(19)

1661, Jan. 8.

awght day of January jajvi^e threscore ane yeires, be the said William Nizbet Balive befor designed In name of the said Right worthy Robert Pringle of Stitchill, Barroun.

Assault £24,
Bloodwyte £12.

The qlk day the hail tenants and Coatters within the Barrony of Stitchill compeared all personally and tuike Instruments of ther compeirance at said Court. The qlk day compeired James Campbell in Stitchill personally and confest judicially that he committed blood upon Thomas Hoggearth his servant qrfor he is unlawed and americiat in 24libs. for the said Blood and in 12libs. for Blood wyte.

Riot £5 and
stocks.

The qlk day also James Lambe younger in Over Stitchill confest he committed Ryot and Straiks upon George ffrenche yr, qrfor he is unlawed in five pundis Scots, and ordained to be put in the Stocks dureing the pleasure of the Laird and Balive.

Pease 12lb.
2s.
Teinds.

The qlk day Andro Giffen is judicially decerned conforme to his ane confessioun to pay to James Campbell and Robert Lillie for peis 12libs. 2 shillings Scots. The qlk day John Hoggearth *alias* Calsyend is decerned to pay to William Aitchison in Teinds confest awght pundis.

Anent Bread
for Bridals.

William Moffat in Over Stitchill is ordained to pay to George Nizbet for meill 9libs. Scots. The qlk day the said Judge and Balive taiking to his serious consideratioun what loss and prejudice the Possessor of the Mylle of Stitchill sustaines be the people of this Barrony who buyes their bread for penny Bridells in the Mercat and does not grind the Bridell quheit at the said Mylle sua that therby they are partly unable to pay the tack dewties and yeirly rent for the said Mylle used and wont, Therefor it is enacted and by these presents statute and ordained that all Makers of Common Bridells, also Aill Brewers, as uthers within this Barrony, shall grind the hail quheit qlk they shall happen to make use of at the said Brydell at the Mylle of Stitchill and pay Mylle dewties therfor used and wont; and that non within this Barrony buy Bread in Mercat under the paine of Ten pundis for ilk failzie without modificatioun.

Brides not to
have their
Bridals outside
the Barony.

Also the same day it is statute and judicially decerned that no Bryde dwelling within this Barrony at the tyme of her

marriage shall make her Brydell out of this Parochin where-soever the Bridegroom happen to dwell. But that the Brydell be made and keiped within this Barrony in all tym cumeing for the benefit of the Mylle dewties of the Malt and quheit to the Possessor of the said Mylle under the paine of Twentie pundis; without lieving asked and granted of the Laird and his successors. The qlk day Andro *alias* David Hoggearth is judicially decerned to pay to Andro Watson awght pundis.

Ita est Attestor ego Thomas Pearsoune Notarius Publicus clk.

Ane Heid Barroun Court halden at Stitchell Kirke upon the twenty third day of August jajvi^c sixty and twa yeirs be the forsaid Robert Pringle of Stitchell Baroun forsaid.

(20)
1662, Aug. 23.

The qlk day Robert Hoge in Over Stitchell, Cirstan Stot there and Margaret Muirehead there being all lawfully wairned to this Barroun Court oft times called, and not compeiring, therfor they are ilk ane of them unlawed and americiat in fyve pundis Scots money. The qlk day William Tailzieor in Queenscairne is decerned to pay to the Kirke Treasurer to be employed *ad pios usos* fyve merkes Scots for Nicholas Wood her penalty for her former scolding and the like misbehaviour qlk was areisted in his hand as her debtor at the instance of the Kirke Sessioun. And the said Nicolas has enacted herselfe to live peaceably in all tyme cumeing under the paine of Twenty pundis and Banishment furthe of this Barrony.

Contempt of
Court £5.

Scolding 5
merks.

£20 and Banish-
ment for 2nd
offence.

The qlk day William Moffat is decerned to pay to George Smythe confest judicially be the defender sixteen pundis principal with three pundis Scots for the byegane annual rent thereof. The qlk day James Campbell is decerned to pay to Thomas Hoggearth for byegane fees eleven pundis foure shillings, twa pairs of hose, a new shirt with a suite of old cloathes at the sight of John Lowry, Robert Hamiltoun, Adam Hoggearth, John Donaldsone, Andro Nisbet, and continews the Extract heirop qle the Defender be heard be them becaus of his present absence and to be decerned be them within fyfteen days.

Claim.

Wages.

Portioner at
Hume.

William Moffat is decerned to pay to Jeremy Crottar portioner at Home confest thre pundis awght shillings. Richeard ffairbairne is decerned to pay to Issobell Charterhous for byegane fee ten pundis Scots.

Breaking a
lock.

Thomas Henrysone is ordained to pay to Robert Lillie smyth confest 5lib. The qlk day James Thompesone is unlawed for breaking up of a locked door *brevi manu* in 5lib. And also to redeliver to Joanel Aitken aither a locke or 30 shillings for the worthe therof.

Contempt of
Bourlaw Court,
£5 and personal
punishment.

The qlk day it is judicially statute and ordained that the haille indwellers within this Barony shall obey the Sentences and Decreits to be pronounced be the Bourlawmen in tym cumeing and that non oppose them neither be word nor deid nor scold, raille, nor outery against ther proceedings in tym cumeing utherwyas nor be order of Law and justice under the paine of fyve pundis and personall punishment at the Lairds pleasure the nixt Barroun Court nixt efter their dissobedience.

Wages.

The qlk day William Hoggearth is decerned to pay to James Thompesone for fee, foure pundis six shillings with thre ells of linen or else ten shillings with a pair of new hose or else twelve shillings.

William Tailzieour in Queenscairne is decerned to pay to Johne Thompesone for fee confest Thre pundis twelve shillings.

The qlk day William Hoggearth for Blood committed be him upon Thomas Lowry is unlawed and americiat in the sowme of Twenty foure pundis at the Lairds mercy.

Swine in corn
and lint.

The qlk day John Lowry, James Campbell, David Hoggeard, Richeard Guttraw, John Guttraw, Robert Hamiltoun and George ffrenche for keiping of swyne in Corne and Lint in Summar contrair to former Acts of Court as was clearly understood be the said Barroun are unlawed ilke ane of them in foure pundis Scots.

Ita est Attestor ego Tho. Pearstone, Notarius Publicus clk.

(21)
1662, Oct. 12.

Ane Barroun Court halden at Stitchell Kirke upon the twelft day of October jajvi^o and sixty twa yeires be the Right Worthy Robert Pringle of Stitchell Barroun foresaid.

The qlk day Andro *alias* David Hoggearth, younger, is

decerned to pay to Issobell Thomson as Cautioner for Mark Dods in Mellerstains nyne pundis six shillings and continew the Extract heirop till the said David be heard befor John Lowry and John Donaldsone.

Adam and William Haggearth and Thomas Mylle are judicially decerned to pay to Andro Giffen for eaten corne aughteen shillings Scots for ilke 20 sheir of a hundred and forty sheir extending to six pundis ilk ane for ther awn pairts proportionally conform to the number of their sheir, 4libs. 10sh. Richeard ffairbairne is judicially decerned to pay to Bessie Bell for eaten aits 4libs. 10sh.

The qlk day the said Barroun did judicially assoilzie and absolve Robert Hopper herd for ane cow perteing to Adam Hamiltoun aledged to be killed be him becaus the said cow was drawn out of a dytch that same nyt wherein the said Adam aledgeth the said herd bracke hir backe, as was made clear appears to the said Barron wherfor the said herd is quyte fre of the said blame forever.

The qlk day Adam Hamiltoun for hydeing and conceiling of his cornes in the yaird unteynded is unawed and amerciat in Concealing unteinded corn
£20. the sowme of 20libs. Scots money at the Laird his mercy.

The qlk day it is statute, enacted and ordained that none within this Barrony lead any of their cornes unteynded nor remove the samyn fra the ground where it grows unteynded, nor hide nor conceal the samyn but that it be told and teynded yeirly in all tym cumeing under the paine of 10libs. Scots money by and attour the said Teynd. Act anent unteinded corn.

The qlk day all within this Barrony awand to Issobell Pringle for aill are ordained to make payment to her therof Ale to be paid if not exceeding
£3. after the samyn is aither confest be the said Debitor or verified and made appeare be her in presence of the Bourlaw Court within 48 houres therof under the payne of poynding, provyding her clame do not exceid three pundis Scots.

Barroun Court holden at Stitchell Kirke upon the third day of January jajvi^e thre score and thre yeires, Be the said Robert Pringle Barroun forsaid. (22)
1663, Jan. 3.

The qlk day the hail tenants within this Barony who are awand to Katherein Hamiltoun Lady Stitchell eldest the Katharine
Hamilton,
Lady Stitchell.

pryce of their ferme Beir dew be them aither for the yeir or crop 1661 yeirs and as yet unpaid are ordained to pay the samyn to John Lowry as her ffactor for her use and behove within fyfteen dayes under the paine of poynding. Lykeas they are judicially decerned to pay to her ilke ane for their ane pairts their grass-mailles dew to her unpaid for crop 1662 yeirs and what they are rightly awand to her and as yet unpaid for all uther yeires and teirmes preceeding efter nixt Court and reckoning.

Margaret Scot,
Lady Sticheil.

The qlk day George ffrenche in Over Sticheil is judicially decerned to pay to Margaret Scot Lady Sticheil, younger, his Maille Teinds, tackes and dewes unpaid for crop 1662 yeirs and for all uther yeirs and crops preceeding as yet unpaid by him to her.

Again.

The qlk day Jane Guttraw, Robert Hamiltoun, and Alexander Hoggarth are judicially decerned to pay to Margaret Scot, Lady Sticheil younger their haill mailles, teinds and tacke-dewties dew by any of them to her for the cropt and yeir of God 1662 yeirs and for all these yeirs cropts and teinds preceding.

Weaver.

The qlk day James Thompson Wobster in Sticheil is decerned to pay restore and redelyver backe againe to the executors of the deceast Andro Essten in Runningburn ane Gray Wobe taken wrongously be him *brevi manu* fra the Waulker, they paying to him at their receipt therof twenty ane shillings awght pennies disbursed be him for the samyn to the Waulker.

Smith's Fees.

The qlk day it is judicially statute and enacted and ordained that the owner and maister of ilke pleuche within this Barony shall pay yeirly to John and Robert Lillie, smythes in Sticheil for their sharpeing-corne¹ and in lieu and place therof, ane stoucke of sufficient outfield aits sicke as grown in ther ground yeirly for ilke husband-land plewed be them whether of their awn or hyred lands fra them with power to the fewars to seeke ther releisse and make ther agreement for the hyred land swa

¹ Sharpening corn was the price paid to the blacksmith by each owner of a plough for sharpening the ploughshare and the sickles for cutting the corn. In this case the price was one stook of outfield oats for each husbandman.

plewed be them for ther releiffe fra the awners therof proportionally.

The qlk day William Hoggearth younger is decerned to pay to Richeard Guttraw twelv pundis Scots viz., six pundis therof at Witsonday 1663 and other six pundis at Witsonday 1664.

Ita est Attestor ego Thomas Pearstone Notarius Publicus clk.

Heid Barroun Court holden at Stitchell Kirke upon the seaventein day of January jajvi^c thre scors and thre yeires be the befor designed Robert Pringle of Stitchell himself. (23)
1663, Jan. 17.

The qlk day the hail tenants within this Barrony of Stitchell compeired all personally and tuike Instruments of ther compeirance.

The qlk day Johne Crottar servant is ordained to enter to Johne Stevisone in Humebyres his maisters service or els to pay to his said Maister fyve pundis for fee, twelve shillings for shoes, and twenty foure for new hose. Broken engagement.

The qlk day Patrick and Alexander Giffen lawful sons to the deceast Andro Giffen in Rinenburne are decerned as Intromettors with ther deceast fathers guidis to pay to James Thomsone Wobster in Stitchell thretty six pundis Scots at thre tymes, viz. twelv pundis therof at Mertinmas nigh to cum in this present yeir of God 1663 yeires, and twelv pundis at Witsunday 1664 yeires and uther twelv pundis in compleit payment of the said hail sowme at Mertinmes nixt thereafter 1664 yeires. A Father's debts.

The qlk day the hail tenants within this Barony who are awand their maill, fermes, and dewty for the cropt of yeires 1662 and for all uther yeires and cropts preceeding compeired all judicially and enacted and obleist themselves to make payment therof within fyftein days and are decerned conform to ther ane confessioun to make payment therof. Rents and taxes.

The qlk day James Wilson merchand in Stitchell is judicially decerned to pay to Johne Lowry younger for a swyne killed be him twa merkes and assoilzied fra the rest of the claime. A claim for swine.

The qlk day the said Barron takeing into his serious con- No swine after May 15.

sideratioun what great skaithe and damage this Barrony hath sustained these diverse yeires bygane be destroying of ther corne be keiping of swyne in the Summar tyme, Thairffoir it is now statute and ordained with advyce and consent of the famous men of the Inquest that no person whatsumever within this Barrony shall keip ane swyne efter the fyftein day of May untill the first teynding day yeirly in all tyme cumeing under the paine of awght pundis Scots money to be payed be ilke transgressor and contravener of this Act without modifi-
cacioun.

(24)
1663, Dec. 3.

Ane uther Court holden at Stitchell Kirke upon the threid day of December be the said Right Worthy Robert Pringle of Stitchell Barroun.

Straike and
Riot.

The qlk day John Lowry confest judicially that he comitted Straike and Ryot upon James Campbell wherfor he is unlawed and amerciat in the sowme of Ten pundis Scots money.

Arbitration
anent a mare.

Thomas Henrisone Tailzieour is decerned to pay to Robert Lillie smythe confest be the Defender fyve pundis. The qlk day Johne Stevisone in Humebyres judicially elected Robert Hamiltoun, and Adam Hoggarth to be Arbitors for him; and John Lamb and Andro Watson nominat Henry Hamiltoun and James Campbell for them, anent the difference of a Meir bought be the said Johne fra them with warrandice therof and in case of variance betwixt the said Arbitors John Lowry is elected Odsman and both parties are decerned to obey their Decreit Arbitrall.

Mailles and
Stent duties.

The qlk day the haill tenants of this Barrony are judicially decerned and ordained to pay their said Mailles and Stent-dewties within Mertimas last bypast and sickelyke of their haill Mailles and Termes awand be ilke ane of them proportionally ilke ane for their awn pairtes and for all uther yeires Cropts and yeires preceeding restand awand and unpayed.

Ferme Beir.
Grass-maill.

The qlk day the haill tenants and possessors of the auld Lady her lyferent-lands are decerned to pay to her . . . of her ferme Beir beffor the Cropt and yeir 1662, and their grass-maill dewty to her for the yeire and cropt 1663.

Another Barroun Court holden within Stitchell Place¹ upon the 26 day of December forsaid 1663 yeires Be the said Robert Pringle of Stitchell Barroun forsaid. (25)
1663, Dec. 26.

The qlk day the said Barron haveing heard the clame and lybell given in by the Procurator ffiscal of this Barroun Court against Andro Hoggeard for blood comitted be him upon Alexander Lowry in Queenscairne,² The said Andro compeared judicially and denyed the said blood. It was, in place of all further probatioun referred to his aithe of verity and the said Defender refused to depone, wherfor he is holden as confest and unlawed and americiat in the sowme of fyfty pundis at the Laird's mercy. Anent the said Blood-wyte bothe the pairties denyed the samyn wherfor the said Barroun referred the samyn to ane Inquest. So being all sworn and judicially elected, Johne Donaldsoun is Chancellor therof, and the said Chancellor and Inquest all in ane voyce finds the said Alexander Lowry to be guilty of the said Blood-wyte becaus the said Andro first bedded the Kille and the said Alexander offered to stopt him and dispossess him and his rowme³ at his awn hand *brevi manu* wherfor the said Barroun unlawed and americiat the said Alexander for the said Blood-wyte in the sowme of twenty fyve pundis. Blood.
Oath of Verity refused.
Bloodwyte.

The qlk day the said Andro Hoggeard found Robert Hamiltoun in Stitchell, Caution, Surety and Law Burrows for him; and the said Alexander found James Campbell Law Burrows.

¹ Stitchill Place was the designation of the mansionhouse where this Court was being held, instead of the church as heretofore.

² Queenscairne is a farm upon Stitchill estate. It seems to have been a dower-house at which old Lady Stitchell was residing. William Veitch, the noted Covenanted preacher, was concealed there when the dragoons were actually searching the place for him after the conventicle at Lauder Moor. The name is thought traditionally to have been derived from the fact that the queen of James II. was residing at the place with her son when the news was brought to her that her husband, the king, had been killed at the siege of Roxburgh Castle, a few miles distant.

³ This was one of the many petty annoyances inseparable from thirlage. Each person bringing corn to be ground had to stand his rowme, *i.e.* wait his turn at the mill. There was, of course, opportunity here for favouritism, bullying, etc. The servant of the miller had much in his power also, according to the amount of knaveship given to him. This was his allowance out of each one's sack of corn.

Caution for him that they and theirs shall be harmless and skaithless of uthers in all tym comeing, otherways by order of law and justice, and the principals are bound to releve ther Cautioners. Thos. Pearstone, Notar Pub. clk.

Margaret Lady
Stitchell's
Maills.

The qlk day George ffrenche is judicially decerned to pay to Margaret Scot Laidy Stitchell elder, ane hundredth pundis Scots money for the Maill of these her lyferent lands confest be him for the Teirme of Mertimas last bypast 1663 yeires within fyfteen days nixt efter he be charged therto Together with thretten Bolles of Beir and thretten Bolls of aits meill of the quantity and quality contained in his Tack at Candlemas nigh to cum *in anno* 1664 for the yeire and cropt 1663 yeires.

(26)
1664, Jan. 4.

Ane uther Barroun Court halden at Stitchell Place within the Gairden upon the fourthe day of January 1664 yeires, be the said Robert Pringle of Stitchell, Barroun foresaid.

Curia legitime affirmata.

Assault.

The qlk day the said Barroun haveing heard the clame and lybell given in be the Procurator ffiscall of this Court upon Edward Stevisone in Humebyres for Blood alledged comitted be him upon John Donaldsone in Nether Stitchell, the said Edward compeared personally and denyed judicially the said Blood.

Bloodwyte.

The said Johne Donaldsone also compeared and confest Blood-wyte be first casting a cup at the said Edward and becaus the said Edward denyed the said Blood theirfor the said Barroun referred the samyn to the knowledg of ane Inquest.

Inquisitio:—Robert Hamiltoune, Adam Haggeward, James Campbell, Andro Nizbet, Richeard Guttraw, George ffrenche, George Smythe, Robert Tailzieour, Robert Hogge, William Watstone, Henry Hamiltoune, John Guttraw, Thomas Lambe, John Smythe, Richeard ffairbairne.

Guilty.

The saids famous men of Inquest efter they were all solemnly sworne being all inclosed nominate and elected the said James Campbell as Chancellor of the said Inquest who all in ane voyce efter mature deliberatioun tryall and examinatioun finds and declares John Stevisone in Humebyres lawful brother

to the said Edward to have comitted the said Blood upon the said John Donaldsone Theirfor the said Judge and Barroun conform to the said Act and conviction, unlawed and amerciast the said Johne Stevisone in the sowme of fyfty pundis at the Lairds mercy. And the said John Donaldsone for Blood-wyte in twentyfyve pundis and the said Edward for a Ryot and Straicks in fyve pundis Scots. Blood £50.
Bloodwyte £25.
Riot £5.

The qlk day Robert Lillie, smythe in Stitchell and Alexander Cuddy are fand both guilty of Straicks and Ryot ilke ane upon uthers, theirfor they are unlawed, in ilke ane fyve pundis Scots. Riot £5.

The qlk day John Guttraw for his violent intromissions and his illegal possessioun of a housse possessed be James Lowry is unlawed in fyve pundis and ordained to repossess the said James Lowry therto aye and til he be lawfully removed and legally ejected. Illegal possession £5.

The qlk day Issobell Stevisone relict of the deceast Richeard Guttraw younger, and James Lowry as her present spouse, for his interest are decerned to give John Guttraw as uncle on the fathers syde Tutor Administrator to Richeard Guttraw his nephew and pupill sufficient moveables and pennyworthe for twa hundredth and fourty merkes Scots money and the said Johne is ordained to accept of the said Moveables and give Bond of Security to his said nepphew therfor, and discharges the said Issobell and her said spouse for his interest therof and the said Moveables are to be apprysed beffour neutrall men being twa for ilke pairty. Claim.

The qlk day James Lowry became Cautioner, Surety and Law Burrows for the said Edward Thomsone that the said John Donaldsone and his shall be harmless and skaithless of him and his in tym cumeing otherways be order of law and justice under the pane of fyfty pundis; and the said Principall has willingly obliged and enacted himselfe for releiffe of the said Cautioner *sic subscribitur* Edward Thomsone. Lawburrows.

The qlk day John Lowry Barroun Officer is decerned presently by Court to take the Bourlawmen with him and clear that ditch-reach on the gait betwixt the lands possess be George ffrenche and James Campbell and to regulate the passage therof in all tym cumeing. Thomas Pearsons Notar Pub. cler. Boundary.

(27)
1664, Ap. 28.

Ane uther Barroun Court halden be the beffor designed Robert Pringle of Stitchell Barroun upon the twenty awght day of Apprylle 1664 yeires. The qlk day Issobell Stevison relict of the deceast Richeard Gottraw younger and James Lowry now her present spouse for his interest are decerned to pay to . . . Davidsons her lait servant for his fee confest be the said Defenders 21lib.

Servant's Fee,
£21.

Decreit to
Walter Pringle.
Margaret Lady
Stitchill.

The qlk day John Guttraw, Robert Hamiltoune, and Adam Haggard are decerned to pay to Walter Pringle secund lawfull brother to the Laird, as assignee, constitute be Margaret Scot Laidy Stitchell younger¹ his mother, ther haill Maills and fermes dew be them to her for her lyferent lands and possest be them ilke ane for ther awn pairtes for the teirme of Candlemas lait bypast 1664 yeires instant.

And the said Margaret Scot her haill uther tenants and possessors of her said lyferent lands are judicially decerned to pay to her ther haill Mailles and fermes for the said Teirme of Candlemas last bypast restand awand and unpayed ilke ane for ther awn pairtes.

Katharine
Lady Stutchell.

Silver- and
grass-maills.

The qlk day the haill tenants and possessors of these lands pertaining in lyferent to Katherein Hamiltoune Laidy Stitchell eldest, are decerned to make payment to her of ther silver Mailles and grasse-Mailles restand awand and unpayed be them for the cropt and yeir of God 1663 yeirs last bypast; and also of ther haill Maills, fermes, kaynes, and yeirly dewtie dew to her for all uther yeirs and Teirmes preceeding ilke ane for ther awn pairtes.

Ita est Attestor ego Tho. Pearsons Notar. Pub. cler.

Apprysing of
Eaten corn.

The qlk day the said Judge and Barroun takeing to his serious consideratioun that diverse and sundry persouns within this Barrony are persewed beffor this Barroun Court for cornes eatten be ther Bestialls and apprysed be their knowledge for remeid whereof it is statute and ordained that all eaters of

¹ This lady was the widow of John Pringle (father of Robert the laird), who himself had not lived to succeed his father. She had two sons, Robert, the present laird, and Walter, junior, later of Graycrook, advocate, mentioned by Wodrow as ably pleading for the Covenanters taken after the Battle of Bothwell Bridge in 1679. Katherine Hamilton, the eldest Lady Stitchill of all, was still living, as is evident from the next paragraph but one.

corne be first wairned beffor the samyn be urged be the Barroun officer or Bourlaw officer and see it apprysed qlk wairning being made beffor witnesses the said apprysing shall be sustained whether the Defender compeir to heir or see the said apprysing or not.

Also it is statute and ordained that all eatten corne be apprysed in tyme cumeing be twa Bourlawmen only.

The qlk day James Lennox schoolmaster called and not compeiring is decerned to pay to Andro Nizbet in Stitchell Mylle for a yeires Mailles and Teinds of a Coatt house fyve pundis Scots with thre kayne hens or else five shillings for ilke undelivered hen and continueus the Extract heirof for ten days till the Defender be heard be the Laird if he have anything to object becaus of his present absence.

Schoolmaster's
rent and teinds.

Kayne hens.

The qlk day John Guttraw is judicially absolved quyte and freed of those six ewes and six lambes persewed be Issobell Stevisone, and also of the interest money for thre quarters of ane Husbandland because he produced a Discharge ther for to him be the deceast Richeard Guttraw younger his brother and her umqhile husband beffor his decease. Tho. Pearsons Notar. Public, cler.

Absolved.

Ane uther Barroun Court halden at Stitchell Kirke upon the nynteen day of November jajvi^c thre scoir and foure yeires be the beffor designed Robert Pringle of Stitchell Barroun forsaid.

(28)
1664, Nov. 19.

The qlk day the said Judge and Barroun takeing to his serious consideratioun how necessar it is for advanceing the glory of God the cherisheing and nourisheing of piety and vertew within this parochin and for punisheing of vice for incouragement to weill doers and for terror to all those who inclyne to doe evill within this Parochin. That the Ministers, Elders and Kirke Sessioun have the concurrence and assistance of the Civil Magistrat for corroborating of ther Acts to be made be the said Kirke Sessioun and his aucturity interponed therto that sicke persons as shal be convict be them may heirefter stand in aw to doe evill. Theirfor the said Barroun has judicially statute and ordained that the Barroun Officer of this Barrony and his successors in the said Office

Act supporting
the Kirke
Session.

shal put to full executioun be law all Acts of the Kirke Sessioun against all persouns convict be them and to caus payment of the penalties imposed be them to be made and to poynd, arrest and use all legal executioun therefor and to take the Extract of the Kirke Sessioun for his Warrant becaus there was a desyre and lybell given in be Maister David Starke Minister at Stitchell for that Office, qlk desyre the Barroun thought reasonable.

Brewer. The qlk day John Guttraw *ex consensu rei* is decerned to pay to Issobell Pringle, Brewer nyne punds ten shillings.

Crooked horse. The qlk day George ffrenche is absolved, assolized and judicially quyte of payment of ten merkes acclaimed be Robert Lillie as Caution for Johne ffrenche his brother for cureing of a cruiked horse becaus the said Robert to depone reserveing actioun to the persewer to persew the Principall.

Negligence £5. The qlk day Johne Hamiltoun for his negligent intromissioun with Agnes Cottersone her cornes and away takeing of the samyn from the field instead of and in place of his awn is unlawed and amerciati in fyve punds Scots.

Contempt £10. The qlk day James Prestoun being lawfully wairned not compeiring is decerned to pay to John Lillie Ten punds.

Eaten corn. Patricke Giffen, James Lambe, and Johne Haggeard are decerned to pay to Johne Donaldsone proportionally conforme to ther possessioun seaven halfe fulles of aits eatten be ther Bestiall or else fyve merkes for the pryce of the Bolle therof.

Carriage of goods. The qlk day James Lowryes (eister and wester) and James Lambe are all three decerned to pay ilke ane of them for bygane Cairiages to Katherein Hamiltoun Laidy Stitchell eldest 8lib.

Katharine Lady Stitchell. The qlk day the haille tenants and possessours of the said Katherein her lyferent lands are decerned to pay to her ther haille Mailles, fermes, kaynes and Cairiages¹ dew be them to her at Mertimas instant 1664 yeires and also for all uther yeires preceeding restand awand and unpaid.

Byegone duties, etc. The qlk day the haille tenants within this Barrony are all

¹ These are examples of three forms of payment, viz.: Rents in money, fowls as rent, and several carryings of coals or other burdens as service.

judicially decerned and ordained to make payment of ther hail Mailles, fermes, kaynes, cairraiges and grass-mailles dew by ilke ane of them for ther awn pairtes conforme to ther severall possessiouns for all yeires and Teirmes byegane restand awand and unpayed within fyfteen days nixt efter they be chairged therto under the paine of poynding.

The qlk day George ffrenche and Thomas Lambe obleist ^{Lawburrows.} and inacted themselves judicially that non of them shall trouble or molest each other in tym cumeing in body, guids or name be word or deid utherways nor be order of Law and Justice under the paine of Twenty pundis Scots money for ilke failzie.

The qlk day it is judicially statute and ordained that no ^{The Laird's} person within this Barrony presume nor tacke upon themselves ^{Teinds.} to leid, collect, or away take any of his Stocks of corne or grass from wher it grows till the Laird his Teynds be first collected and fully away taken both in the Nether town and Barrony Except be particular liberty fra the Laird himself.

The qlk day John Lowry Barroun Officer is ordained to ^{Riot.} conveye and bring before the Laird within awght days nixt efter the dait heirop Robert and John Lillie and Margaret Dikesoun and ther witnesses for cleareing of that Ryot and Differences betwixt them under the paine of fourty shillings Scots for ilke absence.

The qlk day Matthew Thompesone for Deforcement given ^{Deforcement} be him both to the Barroun Officer and the Bourlawmen is ^{£5.} unlawed in 5lib. And it is statute and ordained that non within this Barrony giffe Deforcement neither to the Barroun Officer nor Bourlawmen nor Bourlaw Officer in tym cumeing under the lyke paine of fyve pund Scots without modificatioun for ilke Deforcement.

Ane uther Barroun Court halden at Stitchell Kirke upon the 20th day of Apprylle 1665 be the beffor designed Ryt ⁽²⁹⁾ Worthy Robert Pringle of Stitchell Barroun forsaid him- ^{1665, April 20.} selfe.

The qlk day the hail tenants and Coatters within the Barrony of Stitchell compeired all personally and took Instruments of ther Judiciall apeiring.

Lady Stitchill
younger.

The qlk day John Guttraw is decerned *ex consensu rei* to Walter Pringle as Assigney lawfully constitute be the Laidy Stitchell younger his mother for Candlemas last bypast 1665 instant fyfty pundis.

Riot £5.

The qlk day James Wilsone for Straickes and Ryot comitted be him upone James Cranstoune his brother-in-law is unlawed and amerciati in fyve pundis.

Kayne hens.

The qlk day Mr. Robert Hopper is found to be dew and decerned to pay to the Kaynes of Sweethope for crop 1664 six hens. Also Johnne Donaldsone is decerned to pay the twa pairtes of those kayne foulls dew for the land possest be Issobell Stevisone for the said cropt 1664 and the said Issobell Stevisone herselfe the third pairt therof Becaus the haill moveables are swa pairted betwixt her and the Minister.

Bringing home
coals.

The qlk day it is statute and ordained that all within this Barrony who bring not in ther proportioun of coalles befor Lambes yeirly (being foure tymes lawfully wairned be the Barroun Officer for that effect) shall efter the said Teirme of Lambes als weill buy them upon ther awn expenses as bring them home yeirly in all tym cumeing.

Margaret Scot
Lady Stichell.

The qlk day the haill tenants and possessors of these lands pertaining to Margaret Scot Laidy Stichell younger in Lyferent are decerned to pay ther haill Mailles fermes and dewty as dew be them ilke ane for ther awn pairtes for the Teirme of Candlemas 1665 last bypast.

Claim.

The qlk day John Woode is decerned *ex consensu rei* to pay Johnne Aitken fourteen pundis twelv shillings.

The qlk day Patrick Giffen is decerned to pay to Andro Nisbet *ex consensu rei* viii lib. 6 shillings.

The said Patrick Giffen is also decerned to pay to Robert Lillie smythe for Smydye werke Ten pundis 12 shillings 5d.

Multure ab-
stracted £5.

The qlk day George ffrenche confest he abstracted his multures fra Stichell Mylle to the prejudice of the possessor therof contrair to former Acts of this Barroun Court wherfor he is unlawed and amerciati in fyve pundis and to pay to Andro Nizbet Double Multure for a fulle of malt confest befor be him.

The qlk day it is judicially statute and ordained that non

within this Barrony abstract ther Multures¹ Meall nor Malt in tym cumeing fra Stitchell Mylle, but that they bring ther haill grinding corne and malt therto to pay Mylle Dewties used and wont therfor under the payne of fyve pundis and Double Multures to the possessor of the Mylle for the corne and malt so abstracted and that the possessor of the said Mylle and his sub myllers keep the said Mylle in gud operation and do gud and thankefull service to the people thirled and therto resorting under the lyke paine.

The qlk day James Macdowell and William Moffat for Bridal Bread buying of bread to ther Brydall in prejudice of the possessour ^{£10.} of Stitchell Mylle contrair to former Acts of this Barroun Court are unlawed ane amerciat in ilke ane ten pundis at the Lairds mercy and the said James to pay the possessour of the Mylle for Double Multure of twa fulles quheat confest abstracted be him six shillings 8d. and the said William for a double Multure of a fulle of quheit abstracted be him 3 shillings 4d.

The qlk day George Hoppe is judicially elected Bourlaw Pundler. Officer or Pundler in Nether Stitchell who deponed his oathe *de fidei administratione officii* without partiality favor hatred or malice. Tho. Pearson Notar. Publ. cler.

Ane uther Barroun Court holden be the beffor desygned Ryt Worthy Robert Pringle of Stitchell at Stitchell Kirke upon the 9th day of December 1665 yeires. ⁽³⁰⁾ 1665, Dec. 9.

The qlk day John Guttraw in Stitchell is judicially decerned ^{Claims.} *ex consensu rei* to pay to William Swanstoune in Hume sixteen pundis Scots.

The qlk day the said John Guttraw *ex consensu rei* is judicially decerned to pay to John Lillie, smythe, 9lib. 5s. 10d.; Also William Hoggeard, wester, to the said Johne 6lib. 3s. 4d.; also Adam Hoggeard to the said John Lillie, 5lib. 13s. 7d.; also John Hoggeard *alias* Calseyend viii lib., viii s., 10d.; also George ffrenche to the said John Lillie for Smydy

¹ If a person refrained from sending his corn to the mill to which he was thirled, and sold it or sent it to be ground at some other mill, he was considered to have defrauded the miller of his duties, and became liable for the penalties imposed for what were called abstracted multures.

werke confest awand 15s. with halfe a fulle of quheit. The qlk day Thomas Henrysone in Stitchell is decerned to pay to James Campbell maltman 4 lib. Thos. Pearsons Notar. Public, cler.

Ox £18. 10s.

The qlk day James Lowry eister in Nether Stitchell is judicially decerned *ex consensu rei* to pay to John Smythe in Over Stitchell for the agreed pryce of ane ox bought and received be the said James 18lib. 10s.

That Ryot and Straickes betwixt Issobell Turnbull and John Henrysone is contineued till Tuesday nixt and John Lowry Officer to convene the pairties beffor the Laird at Stitchell Place that day.

Claims.

The qlk day haveing heard the clame given in be James Wilsone Mercheand against Alexander Eiston, the said Judge did ordaine John Donaldsone and James Campbell to be auditors to ther accompts, who efter mature deliberatioun found the said Defender to be dew to the said persewer 7lib. 2s. wherfor the said Judge decerned for the said sowme to be payed be the said Defender.

Rents.

The qlk day the said James Wilsone Mercheand is decerned to Margaret Scot Laidy Stitchell younger for the ferme of that parcell of the Maynes lande possesst be him for the yeir and cropt 1664 yeires Twelv pundis 10 shillings. More for grass Maille 6lib. made 18lib. 10s.

The qlk day that Ryot betwixt George ffrenche and James Lambe is continewed till Tuesday nixt to be examined at Stitchell Place beffor the Laird.

The qlk day the Settling of that Act for cutting of trees within this Barrony is continued till the nixt werke at Stitchell Place.

Assoilzied.

The qlk day heaveing heard the clame given in be Thomas Allane Tinckler against Alexander Lowry eldest lawful son to the deceast Alexander Lowry his father acclaming fra him thre pundis ten shillings restand unpaid be him to his deceast father Beffor his decease desyreing that as he as heir or owner or intromittor *titulo lucrativo*, or be any passyve tytells myght be decerned to mak payment therof The said Defender compeired judicially and denyed that he ever intromitted with any of his deceast fathers guidis geirs or moveables less or mair

titulo lucrativo qlk was clearly understood be the said Judge wherfor he was judicially absolved, assoilzied, quyt and freed fra the said clame fra ever.

Tho. Pearsons Notar. Public, cler.

Ane uther Barroun Court halden at Stitchell Kirke upon the secund day of January jajvi^e threscoir and six yeires Be the before designed Robert Pringill of Stitchell Barroun forsaid. ⁽³¹⁾ 1666, Jan. 2.

The qlk day Walter Elliot and Robert ffrenche confest judicially that they bothe comitted Blood ilke ane upón uther, wherfor they are unlawed and americiat in ilke ane fyfty pundis at the Lairds mercy. Blood £50.

The qlk day Richeard ffairbairne, John Smythe, Joanet Bogge have judicially submitted themselves to John Lowry arbiter for the said Richeard and Johne Smythe and to James Campbell Arbiter for the said Joanet Boge, anent the nixt amicable divisioun of the guidis and geir perteneing to umqhile Robert ffairbairne only sone to the said Richeard and spous to the said Joanet Boge and anent all uther clamis and differences betwixt them for all causes and occasiouns bygane And the said twa arbiters are to conveye, and pronounce their finall Sentence theranent within fyfteen days. Arbiters.

The qlk day anent that clame given in be Adam Hogear against Robert Gutterstone acclaming fra him awght peckes of ait meall for nuorisse, the Defender denyed the said clame qlk was referred to the persewers probatioun, whereintill the said Adam failzied and succumbed, therfor the Defender is judicially assoilzied absolved quyte and freed fra the said clame fra ever. Assoilzied.

Ane Heid Barroun Court halden at Stitchell Kirke upon the 24 day of March jajvi^e threscoir and six yeires be the Beffor desygned Ryt Worthy Robert Pringill of Stitchell Barroun forsaid. ⁽³²⁾ 1666, Mar. 24.

The qlk day the hail tenants and coatters within this Barrony compeird all judicially and tuike Instruments of ther compeiring.

The qlk day Adam Haggard in Stitchell is judicially decerned *ex consensu rei* to pay to James Pattersone in ffogo

Half year
£8. 13s.

Claims.

for fee and Bountith for halfe a yeires service awght pundis thretein shillings.

The qlk day John Guttraw in Nether Stithell is decerned *ex consensu rei* to pay to William Watsone gairdener seaven pundis 5s.

The qlk day the said Johne Guttraw is decerned conforme to his awn confessioun to pay to Andro Nizbet in Stithell Mylle and William Nizbet his sounne thretein pundis ten sh. The qlk day James Campbell is judicially decerned to pay to William Haggeard wester, for wheat be the oathe of said Defender 6lib. 15sh. The qlk day James Wilson Mercheand is decerned to pay to Johne Underwoode Beddell, thretty thre pundis and continew the Extract heirof till the penult of this moneth till the Defender be heard be the Laird in his defence, (if he has any becaus of his present absence) or else to be extracted.

The qlk day James Lowrie eister, is decerned to pay to Katherein Eastoun relict of the deceast Robert Lillie smyth in Stithell Ten pundis seaven shillings ten pennies.

Margaret Scot
Lady Stithell,
younger.
Rents.

The qlk day Robert Hamiltoun in Nether Stithell is judicially decerned *ex consensu rei* to pay to Walter Pringill Advocat¹ as assigney constitute be Margaret Scot Laidy Stithell younger his mother for the Maill of that land possesst be him pertaining to her in lyferent for the yeir and cropt 1665 yeires payable at Candlemas last 1666 yeires instant Twentie fyve pundis; also to pay to him the Maill and dewty of the said land for all uther yeires and Teirmes preceeding restand awand and unpaid.

Also John Guttraw is decerned to pay to the said Walter as assigney forsaid his Maille and dewty for the said lyferent lands possesst be him for the Teirme of Candlemas last 1666 yeires and for all uthers Teirmes preceeding unpayed.

The qlk day Richeard Guttraw, George Hamiltoune *alias* Hill, George Dickesoune, Adam Haggeard, Johne Donaldsone, James Lowry, Johne Hamiltoune, Adam Hamiltoune, James Wilsone are all judicially decerned *ex consensu rei* to pay to

¹ Brother of Robert the laird, and counsel later for the Bothwell Bridge Covenanters.

Margaret Scot Laidy Stitchell younger their hail Mailles and dewties dew be them for the said hyr lyferent lands possest be him for the Teirme of Candlemas last bypast jajvi^c thre scoir and six yeires and for all uther yeires and Teirmes preceeding restand awand and unpaid ilke ane for ther awn parties.

The qlk day John Haggeard *alias* Calseyend is decerned Claim. to pay to Johne Guttraw thre punds twa shillings reserveing actioun to the defender to persew John Lyllie smythe younger for his relieffe of 26 shillings therof.

Tho. Pearsons Notar. Public, cler.

Ane uther Barroun Court halden at Stitchell Kirke upon the twenty foure day of September jajvi^c threscoir and six yeires be the Beffor desygned Right Worthy Robert Pringle of Stitchell Barroun forsaid. (33)
1666, Sep. 24.

The qlk day Johne ffrenche in Over Stitchell is decerned Claims. to pay to Thomas Gray in Smailholme fyftein punds sixteen shillings principall with twenty shillings expenses viz., six lib. therof at Mertimas nixt 1666, 3lib. therof at Mertimas 1667, 3lib. therof at Mertimas 1668, uther thre punds with the expenses at Mertimas 1669 yeires.

The qlk day it is statute and ordained that ilke husband-land within this Barony shall pay a sufficient Stouke of outfield aits¹ yeirly proportionally in tym cumeing for shairpeing corne to Robert Lillie smythe; and the former Act made in favor of the smythe stand in force for tymes byegane. Tax for sharpening sickles.

The qlk day Johne Guttraw is decerned to pay to Walter Rent. Pringle advocat for his Maill for the Teirme of Lambes last bypast and uther tymes preceeding thre scoir twa punds fourtein shillings 8d *ex consensu rei*.

Also Robert Hamiltoune is decerned to pay to the said Walter for Lambes last 1666 twenty fyve pundes.

The qlk day Adam Hageard, Richeard Guttraw, Johne Lady Stichell,
younger. Donaldsoun, James Lowry, Wylliam Gottersone, William Hogear, George Hamiltoune (hill) and Johne Hamiltoune are all decerned to pay ther severall proportiounes of ther sowmes

¹ One-fourth of the farm land lying next the farmhouse was more thoroughly fertilised than the remainder, and was called infield. The remaining three-fourths formed the outland or outfield.

dew be them to the said Laidy Stitchell younger for the Maynes for Lambes last 1666 yeires and for uther yeires and times byegane restand awand and unpaid.

Interest. The qlk day George ffrenche *ex consensu rei* is decerned to pay for Interest Mony yet restand unpaid fyftein pundes.

Trespass. The qlk day it is judicially statute and ordained that the Tennants in the Over Toune keipe their Cattell from the ground grasse and pasture of Homebyres possest be Mr. ffrancis Pringill Sommer and Winter under the paine of six shillings Scots for ilke beast horse or nolt.

And the said Mr. ffrancis inact himselfe judicially that his Cattell and Bestiall shall abstain fra the ground and pastures of the Over Toune of Stitchell under the lyke paines.

Fee £3. The qlk day Thomas Gray in Smailholme *ex consensu rei* is decerned to pay to Margaret Dickesoune for fee 3lib.

Rents. The qlk day all within this Barony who are awand ther rents, maills, and fermes for Mertimas last 1665 and for the said Cropt judicially decerned to make payment therof.

(34)
1666, Dec. 13. Ane uther Barroun Court halden at Stitchell Kirke upon the threttein day of December jajvi^e threscoir six yeires be the beffor desygned Right Worthy Robert Pringill of Stitchell Barroun forsaid.

Curia legitime affirmata.

Fee £7. 10s. The qlk day James Lowry in Nether Stitchell is judicially decerned *ex consensu rei* to pay to William Service for fee seven punds ten shilling.

Bridal Bread. The qlk day Andro *alias* David Haggard for buying of bread to his Brydall contrair to former Acts of this Barroun Court is unlawed in Ten punds at the judges mercy and he is also decerned to pay to Andro Nizbet possessor of Stitchell Mylle for the Multure of that abstracted quheit ten shillings Scots.

Decree in Absence. The qlk day William Moffat lawfully cited ofttymes called and not compeiring is holden as confest and decerned to pay to George ffrenche in Over Stitchell Twenty seaven punds twelv shillings Scots and continewes the extracting of this pntt Decret till the twenty day of December instant that the Defender may be heard be the Laird becaus of his present absence.

Grassmaille. The qlk day all within this Barrony and jurisdiction lyable

in payment of grass-maille for the Teirme of Mertimas last bypast jajvi^e thre scoir and six yeires are decerned *ex consensu rei* to make payment therof.

The qlk day the haill tennents of this Barony are decerned Schoolmaster. to pay to Mr Thomas Halyburtoune Schoolmaister and precentor at Stitchell fourty pundes proportionally ilke ane for ther awn pairtes conform to ther several possessiouns yeirly dureing his serveing of the said Cure as Precentor and School Maister at Stitchell Kirke proportionally in manner used and wont.

The qlk day Robert Tailzieor and Alexander Lowry in Herd's corn. Queenscairne are decerned equally to pay to William Turnebull hird there fyve fulles of aits with twa pecks and a halfe of humble corne.

The qlk day it is statute and ordained that non within this Bridal Bread and Ale. Barrony who shall make Bryddell Bread herefter shall buy their Brydell Aille and Drinke furthe of the Barrony but that they buy their haill Aille for the use of the Brydell fra the Brewers within the Barony provydeing the said Brewers make their Aille also gud and sell it to them for also a reasonable pryce as it is sold in the country and as they may buy it fra uthers under the paine of Ten pundes Scots money for the Aille bought out of the Barrony by and attour the satisfactioun to the possessor of Stitchell Mylle for the Multures of the Brydell malt together therewith.

Ane uther Heid Barroun Court holden at Stitchell Kirke upon the sixtein day of ffebruary jajvi^e thre scoir and seven yeires be the beffor desygned Ryt Worthy Robert Pringill of (35)
1667, Feb. 16. Stitchell Barroun forsaid.

The qlk day John Hoggeard *alias* Calseyend is decerned *ex Claim. consensu rei* to pay to William Hoggeard wester in Nether Stitchell twenty pundes foure shillings.

The qlk day John Guttraw in Nether Stitchell is decerned Harvest fee
£17. 14. *ex consensu rei* to pay to James Grieve in Tofts for harveist fee seaventein pundes fourtein shillings.

The qlk day the said John Guttraw is also decerned to pay Harvest fee £4. to Henry ffairbairne in West Gordoun for harveist fee foure pundes.

The qlk Robert Hoge absent is holden *pro confesso* and decerned to pay to George ffrenche Thre pundis 5 shillings 8d.

Minister's Wife. The qlk day John Gottraw in Nether Stitchell is decerned to pay to Elizabeth Courtney¹ pntt spous to Mr David Starke Minister at Stitchell for the modified pryce of twa corne sakes lost be the defender as was clearly verified judicially be the persewer fourty awght shillings.

Abstracted Multures. Continew that claime James Campbell possessor of Stitchell Mylle *contra* George ffrenche for abstracted Multures to the Laird his farther deliberatioun.

Wage. The qlk day Robert Hamiltoun is decerned to pay to Thomas Wood confest for service thre pundis fourtein shillings.

Ita est attestor ego Thomas Pearstone Notarius Publicus cler.

Arrestment loosed. The qlk day Johne Guttraw is judicially decerned to louse that arrestment made be Johne Aitken in the hands of Robert Lillie smythe and the said Johne Guttraw is decerned to delyver the corne sold be him to the said Robert Lillie sufficiently dry conforme to ther first condition, and efter the arrestment is loused ordaine the said Robert Lillie to pay to the said Johne Guttraw the agreed pryce for the said corne with all possible diligence efter the lousing of the said arrestment.

Auditors. The qlk day Johne Donaldsone and Robert Hamiltoun are judicially elected both be the judge and parties to be auditors to the haill accompts betwixt the said John Guttraw and the said Robert Lillie and to give a perfect accompt of ther diligence to the Laird theranent within fyftein days.

Ferne Beir. The qlk day James Wilsone is decerned to pay for the ferme beir of that pairt of huppers lands possest be him for the yeir and cropt 1665 and James Campbell is decerned to pay for the grass mailles of that land last possest be the said James Wilsone for the yeire and cropt 1666 yeires last bypast.

Schoolmaster £40. The qlk day the haill tenants within this Barrony are all decerned to pay to Maister Thomas Halyburton Schoolmaister and Precentor at the Kirke of Stitchell fourty pundis yeirly proportionally furthe of the said Barrony conform to

¹ Elizabeth Courtney, spouse to Mr. David Starke, minister. The suggestion is here thrown out that this lady may have been the daughter of Mr. Starke's predecessor, whose incumbency ceased in 1613.

ther severall possessiouns ilke ane for their awn pairtes viz. for a yeir preceeding the twenty ane day of Marche nigh to cum and Teirmely in tyme cumeing at Witsunday and Mertimas Begineing the first Teirmes payment for his secund yeires service at Mertimas nigh to cum in this pntt yeir of God 1667 yeires for the halfe yeir preceeding.

The qlk day James Lowry eister is decerned *ex consensu rei* Katharine Lady Stichell. Rent £30. to pay to Katharein Hamiltoun Laidy Stichell eldest for the Teirme of Mertimas last 1666 for that land possest be him pertaining to her in liferent thretty pundis.

Also James Lowry wester is decerned to pay to her and to her factors in hir name fourty shillings Scots mony resting unpaid of the yeir and cropt 1665 thretty pundis for the maille of her lyferent lands possest by him for the yeir and cropt 1666 last bypast. Rent unpaid.

Also Alexander Giffen is decerned be his awn confessioun to pay to the said Laidy Stichell eldest for the ferme beir of that pairt of her lyferent lands possest be him for the yeir and cropt 1665 yeires Twelv pundis twelv shillings. Ferme Beir.

The qlk day James Lambe, James Lowryes eister and wester are decerned to bring some fourtietwa loads of byegane coalls in maner efter divyded viz., To the Laird ilke ane Ten loads therof; and to the old Laidy herselfe be the said James Lambe four loads therof; be the said James Lowry eister awght loads therof; and be the said James Lowry wester uther Ten loads of the said coalls. Loads of Coals.

The qlk day the said Judge and Barroun takeing to his serious consideratioun the great hurt and skaithe done be keeping of geisse within this Barrouny in Sumar in tyme byegane, Theirfor it is judicially enacted statute and ordained that non within this Barrony keipe Geisse in tyme cumeing from the first day of May untill the cornes be teynded, and teyndis and stocks totally led home and inclosed in the Lairds, yeirly in all tyme cumeing under the pane of twenty shillings Scots for ilke failzier and attour payment of the skaithe to the pairty damnified. Geese.

The qlk day the said Judge and Barroun haveing heard the lybell and complaint given in be the hail tenants of this Barrony mentioning that the possessors of Stichell Mylle and Anent the Millers.

Myllers ther will not suffer them to cast on seids on their beginning to grind their melder in maner used and wont both in this Mylle and uther Mylles: qlk being heard and considered by the said Barroun and he therwith being weill and ripely advysed did efter mature deliberatioun statute and ordain that the owner of ilke Melder shall have liberty first to cast in a Neiffefful of seeds beffor they grind their meill or sheillings. Also it is statute and ordained that the owner of the corne mak their awn sheilling in all tyme cumeing.¹

(36)
1667, July 13.

Ane uther Barroun Court halden at Stitchell Kirke upon the threttein day of Jully jajvi^c thre scoir seaven yeires be the beffor desyigned Ryt Worthy Robert Pringle of Stitchell heretable proprietor of the saids lands and Barony therof.

Curia legitime affirmata.

Damages.

The qlk day James Campbell *ex consensu rei* is decerned to pay to Robert Hamiltoun awght pundis 13s. 4d. destroyed be his Bestiall apprysed be the Bourlawmen, and for thre halfe fulles of aits eaten be his Bestiall and apprysed be the Bourlawmen twentyfoure shillings Scots. And the said Robert offered to the said James to quyte him the said sowme contained in the said Decreit if he wold do him no more hurt nor skaithe in tyme cumeing and find him sufficient Cautioun for that effect anent his neyboirheid within awght days nixt efter the dait heiroy in tyme cumeing.

Whereupon James tuik Instruments and if the said Cautioun be not found within awght days the Decreit is to be extracted and put to all legall Executioun.

Claims.

Eodem die the said James Campbell *ex consensu rei* is decerned to pay to Richeard Guttraw foure pund 6sh. 8d.

The qlk day Thomas Lambe is judicially decerned to pay to Katharein Eastoune and Joanet Guttraw relicts of the deceast Johne and Robert Lillies lait smythes in Stitchell equally betwixt them twa for smydy werke and drinke threttein pundis six shillings.

The qlk day Alexander Giffen is decerned to pay to the

¹ The Black Dwarf 'was two years at Broughton Mill, employed in stirring the husks of oats, which were used for drying the corn on the kiln, and required to be kept constantly in motion.'—*Horae Subsecivae*, 11.

said Kathreen Eastoune and Joanet Guttraw instructed be the saids deceast husbands their compt Book equally betwixt them twa, awght punds Scots.

The qlk day Johne Wood, John Windrim couper being ^{Bridal Bread.} absent is holden as confest, and James ffairbairne for buying of quheit Bread to comoun Brydell contraire to former Acts of this Barroun Court in prejudice to the Myller are unlawed in ilke ane Ten punds at the Judges modificatioun and mercy. Tho. Pearsons Notar. Publict, cler.

Ane uther Barroun Court halden at Stitchell Kirke upon the fourtein day of September jajvi^c threscoir and seaven yeires forsaid, Be the beffor designed Right Worthy Robert Pringle of Stitchell heretable proprietor of the haill lands and Barrony thereof. ⁽³⁷⁾ 1667, Sept. 14.

The qlk day William Moffat in Over Stitchell is judicially ^{Claims.} decerned to pay to Andro Dickesone in Ednam *ex consensu rei* Thre punds 16sh. Also James Lowry wester is decerned to pay to Andro Nisbet *ex consensu rei* for his victuall foure punds.

The qlk day the said Judge and Barroun haveing heard the ^{Great Riot.} Lybell and clame given in be Johne Underwood Procurator ffiscall of this Barroun Court against Thomas Boyde and Robert Hoge in Over Stitchell mentioning that they had comitted Blood, Ryot and Straickes ilke ane upon uthers to the effusion of Bothe their Bloods in great abundance and great hazard of bothe their lives.

Also upon Andro Robesone and Johne Hoggeard for Straickes and Ryot comitted be them upon Robert Lillie smythe; also upon Stephen Burne and James Lidgait minors for Blood and Straicks comitted be them twa upon uthers; also upon Johne Windrim for Blood and Straickes alledged comitted be him upon the said James Lidgait minor.

The qlk haill claimes being heard red, seine and considered ^{Inquest.} be the said Barroun he being weill and rypely advysed, submitted and referred the saids Bloods and Ryots to fyfteen famous men of Inqueist who being all solemnly sworne and thereafter inclosed, elected Andro Nizbet jun. Chancellor of the said Inqueist. The said Chancellor be the mouthe of the

Verdict.

said Inqueist efter mature deliberatioun doe all in ane voyce convict and declare the saids Thomas Boyde and the said Robert Hogge ilke ane to be guilty of a Ryot and Straicke upon uthers and the said Robert Hoge ilke ane to be guilty of the Wyte of the said Ryot, and the said Robert his foalle did provoke the said Ryot be eating of the said Thomas his corne and the said Robert refused aither to amend or to be restricked also the said Chancellor and Inqueist finds and declares them bothe to be guilty of Blood as was clearly verified be famous witnesses and referres their censures to the Laird and Barron.

Also they convict and declare the said Andro Robesone and the said John Hoggeard to be bothe guilty of Ryot upon the said Robert Lillie smythe as was clearly verified be famous witnesses and referrs their censures to the Laird and Judge.

Also the saids Inqueist finds the said Stephen Burne and James Lidgait minors to have bothe comitted Blood ilke ane of them uther conforme to their awn confessioun and referrs their censures to the Laird and Judge.

Also the saids Inqueist convict the said Johne Underwood couper of Straikes and Ryot comitted be him upon the said James Lidgait minor and assoilzies and absolves him of the Blood becaus swa verified be famous witnesses and referrs his censure for the said Ryot to the Barroun and Judge.

Sentence.

The qlk day the said Barron and Judge conforme to the Act and Convictioun of the saids fyftein famous men of Inqueist pronounced be the said Chancellor did judicially unlaw and amerciat the said Robert Hoge and Thomas Boyd for the said Bloods in ilke ane fyfty punds. And the said Robert Hoge for Blood wyte in Twentyfyfe punds at the Judge his mercy and modificatioun. The qlk day also the saids Andro Robesone and Johne Hoggeard conforme to the said Act of Convictioun are unlawed in ilke ane Ten punds.

Also the saids Stephen Burne and James Lidgait minors conforme to the said Act of Convictioun are at the Lairds mercy for what amerciament or personall punishment he pleaseth for the said Blood becaus of their present minority pupillarity and less age.

Also the said John Windrim couper conforme to the said

Act of Convictioun for the said Ryot and Straickes comitted be him upon the said James Lidgait minor is unlawed in Ten pundis Scots and judicially absolved assoilzied quyte and freed fra the said Blood alledged comitted be him forever.

The qlk day all differences and matters questionable betwixt Alexander Giffen and James Lambe are judicially referred and submitted to Adam Hoggeard for the said Alexander his pairt; and to Johnne Donaldsone for the pairt of the said James Lambe as arbiters chosen be ilke pairty and to settle, agree and reconce all them; and what the saids twa arbiters ordaines the saids twa pairties are judicially decerned to obey and the saids pairties and arbiters are to convene for that effect within awght dayes efter the dait heiroyf.

And the said Johnne Donaldsone is also becumed Cautioner for the said James Lambe; and Patrick Giffen eldest lawfull Brother to the said Alexander is becum Cautioner, Surety and Law Burrows for the said Alexander that the saids Twa pairties, their wyfes, bairnes, servants, and families shall not trouble, or molest uthers in Tyme cumeing be word nor deed utherways nor be order of Law and Justice under the paine and penalty of Tyenty pundis for ilke failzie, and the saids Twa pairties have judicially inacted themselves to relieve their saids Twa Cautioners of their said Cautionry.

The qlk day Alexander Lowry in Queenscairle and William Turnbull hird there, are both judicially absolved of a sheep acclaimed fra them be William Thompson weaver be their oathes of verity.

The qlk day the said Judge and Barroun takeing to his serious consideratioun the great prejudice that this Barrony and Indwellers therein doe susteine for want of planting and setting of young trees and how profitable and pleasant planting is, and what detriment this Barroun susteines for want and neglect therof, Therefor the said Judge and Barroun hath statute and ordained that ilke Tenant and Coatter in Nether Stitchell shall plant in their severall yairds six guid Ashe plants yeirly till their yairds be sufficiently planted. And to begin to plant betwixt Mertimas and Yuil nixt, and swa furthe betwixt the said two kinds yeirly till the saids yairds be planted, and in place of ilke decreaseing plant to replant a

new plant in place thereof under the paine of fyve pundis for ilke failzie.

Act anent
dykes.

The qlk day it is also statute and ordained that ilke Tenant within this Barony make ther heid dycks sufficient and hirdwell for keiping the saids plants at all tymes in the yeir, and for keiping of guid neyboirheid, and to begine within awght days nixt efter the dait heirof to bige their saids heid dyckes under the paine of fyve pundis.

Act anent
Destroyers.

Also it is judicialy statute and ordained that the Breakers and Destroyers of the said plants shall pay for ilke transgression Ten pundis by and attour personall punisshment at the Lairds pleasure.

Act anent
trespass.

Also it is statute and ordained that non within this Barony old nor young make Rods nor gaitis threwe their neyboirs yairds nor breake doune their neyboirs dykes nor goe nor passe throw their neyboirs yairds under the paine of Twelve shillings Scots for ilke failzie.

Service.

The qlk day it is statute and ordained that the possessors of ilke ane husband-land within this Barony lyable for Service shall furnishe and put furthe ane able workeman for helping to cast a ditche about the eister Louche proportionally, and foure of them to be ready dayly for that effect course and tyme about proportionally till the samyn be fully casten and ditched.

Absolvitor for
the Weavers.

The qlk day the haill weavers within this Barony being complained upon be John Underwood Procurator ffiscall of this Barroun Court for makeing and weaveing Linen cloathe vendible for Ten shillings or above within the breadth of ane elle and twa inches contrair to the Act of Parliament made in *anno* 1662 qlk. being referred to their oath of verity they all compeired personally and being all severally deeply sworne they all deponed that they did not weave any Linnen cloathe vendible for Ten shillings or above within ane elle and twa inches of Breadth since November jajvi^c sixty ane yeires; theirfoir the said Judge and Barroun assoilzied absolved quyte and freed the said haill weavers within this Barrony fra transgressing of the said Act of Parliament for all tyme bygane.

Tho. Pearsons Notar. Public, cler.

Ane uther Barroun Court being ane Heid Court halden at Stichell Kirke upon the first day of ffebruary jajvi^c and sixty awght yeires be the beffoir designed Right Worthy Robert Pringill of Stichell heretable propriotor of the haill lands and Barony thereof. (38)
1668, Feb. 1.

Curia legitime affirmata.

The qlk day the haill tennants and Coatters within the said Barrouny compeired all personally and tuike Instruments judicially of their compeirance.

The qlk day the said Barroun and Judge sitting in Judgment in ane fensed Court haveing heard the Lybell and complaint given in be Johne Underwood Procurator ffiscall of this Barroun Court against James Campbell in Stichell Mylle and Andro Robesone his hynde mentioning that they not only comitted Ryot and Straickes upon uthers with Staffes handes and feet and uther weapons offensive dinging uther to the ground most cruelly But also to the effusione of Bothe their Bloods in great abundance and great hazard of bothe their lives The said Judge efter mature deliberatioun, the saids pairties being lawfully wairned ofttymes called, not compeiring therfor ilke ane of the saids twa pairtyes are judicially unlawed and amer-
ciat for Ryot and Straickes in Ten pundes And the said James Campbell for Blood comitted be him upon the said Andro Robysone as was clairly understood be the said Judge is unlawed in fyfty pundes at the said Barroun his mercy. Riot £10.
Blood £50.

The qlk day William Gottersone cordiner in Stichell called Jo Janet Handyside in Kelso for malt fourtein pundes. Malt £14.

Also Jane Alexander in Over Stichell called not compeiring is halden as confest and decerned to pay to the said Jo Janet Handyside for malt sixtein merkes. Malt 16 Merks.

The qlk day William Moffat in Over Stichell also called and not compeiring is holden as confest and decerned to pay to David Cowan in Ednam Twenty thre pundes 14 shillings. Claims.

The qlk day John Guttraw in Nether Stichell *ex consensu rei* is decerned to pay to Robert Hoggeard there twenty six pundes six shillings viz. the one halfe within fyftein days and uther halfe at Mertimas nigh to cum 1668 yeires.

The qlk day Andro *alias* David Hoggeard is decerned *ex* Claims.

consensu rei to pay to William Hoggeard eister mailler fyfe pundis ten shillings.

The qlk day also Patrick Giffen absent holden as confest is decerned to pay to James Thompesone for weaver worke foure pundis 8 shillings. Also Alex Giffen is decerned to pay to the said James thre pundis.

Tho. Pearstone Notar. Public, cler.

(39)
1668, Oct. 31.

Ane uther Barroun Court halden at Stithell Kirke upon the last day of October jajvi^o sixty eight yeires be the beffor designed Right Worthy Robert Pringill of Stithell heretable propriotor of the haille Lands and Barrony thereof.

Curia legitime affirmata.

Two Stots
£19. 4s.

The qlk day Alexander Giffen in Nether Stithell being lawfully summoned personally, ofttyms called and not compeiring is halden as confest and decerned to pay to Thomas ffairbairne therfor the pryce of twa stots bought and receaved be him fra the said persewer as was clearly verified Nyntein pundis foure shillings.

Claims.

The qlk day George Hamiltoun (*alias* hill) in Nether Stithell is decerned to pay to Jeane and Euphean Andersones lawfull sisters to the deceast Issobell Andersone aequally, and to Alexander Maisson pntt. spouse to the said Jeane for his interest *ex consensu rei* Nyntein pundis Scots mony (they finding Cautioun to warrand him at the haille uthers aires and executors of the said Issobell and all uther hands qtsumevir).

The qlk day Andro *alias* David Hoggeard is judicially decerned to pay to Katreine Eastone relict of the deceast Robert Lillie smythe in Stithell confest eleven pundis twelve shillings confest.

The qlk day Johnne Smythe is to be auditor and to examine Richeard ffairbairne his smydy accompts and what is already payed to Joannet Guttraw her daughter in law to be redelyvered be her to the said Kathren Eastone.

The qlk day George ffrenche is decerned to pay to Richeard ffairbairne for eaten corne fourty eight shillings.

Claims.

The qlk day Alexander Giffen called, not compeiring is decerned to pay to Johnne Hageard nyntein pundis six shillings.

The qlk day Johne Guttraw is decerned to pay to Andro Burne for bygane fees Twelv pundis six shillings.

The qlk day Johne Hoggeard is decerned to make furthe cumeing to Margaret Smythe, if Law will, foure sheip pntte in his possessioun pertaining to Robert Cromby and wreisted in his hands till that Action depending betwixt Margaret Smythe and Robert Cromby be legally discussed.

The qlk day James Campbell and Robert Hamiltoune are ^{Arbiters.} decerned to be Arbiters for settleing of that Difference betwixt William and Johne Hogearde anent exchanged Mares and in cace of their variance the Laird is pleased to be Odman.

The qlk day Adam Hoggeard is decerned to redelyver to Thomas Hoggeard pnttly twa sheip of three and ordaine Johne Lowry, Johne Donaldsoun and Robert Hamiltoune to [putte] these foure sheip in the custody of Joanet Guttraw and if one of them be found to belong to the said Thomas the said Adam Stott Hoggeard is decerned to sattisfie the said Joanet Guttraw therfor And the said sheip to be delyvered to the said Thomas Hoggeard as his awin.

The qlk day William Hoggeard is decerned to pay to Johne Haggeard younger *ex consensu rei* fourtein pundis ten shillings.

The qlk day Adam Hoggeard is decerned to redelyver to James Leith herd aither two sheipe lost upon his default or else three pundis seven shillings for the modified pryce therof.

The qlk day Johne Lowry and Robert Hamiltoune are elected arbiters to meit and decide all differences betwixt George Hamiltoune and William Hoggeard and what they decerne the pairtyes are judicially decerned to obey.

John Lowry Barroun Officer of this Barrony is ordained and authorized to poynd all transgressors of that Act made anent planting and make the fynes and unlaws of the Transgressors to be payed. ^{Transgressors of the Planting Act.}

Also the said Barroun Officer is ordained to poynd William ^{Militia.} Service for fyve pundis for resetting of James Leitche in Dalcove contrare to that Act made be the honorable Commissioners of the Shyre anent the Militia.¹

¹ James Leitche had been drawn to serve in the Militia, and had been hidden by William Service, whose goods were now arrested to the value of five pounds.

(40)
1669, April 10.

Ane uther Barroun Court being ane Heid Court halden at Stichell Kirke upon the 10th day of Apprille 1669 Be the beffor designed Right Worthy Robert Pringill of Stichill Barroun.

Blood £50.

The qlk day James Campbell for Blood comitted be him upon James Johnstoune as he confest is unlawed in fyfty pundis.

Opprobrious
Speeches 30s.

The qlk day Johne Hoggeard for opprobrious speaches to Robert Lillie smythe is unlawed in thretty shillings And the said Robert Lillie for provoking of him be words and offering of Straicks and Ryot is unlawed in fyfty shillings.

Provocation
50s.

Claims.

The qlk day Johne Guttraw is decerned *ex consensu rei* to pay to Johne Lowry seven pundis fyftein shillings.

The qlk day William Moffat in Over Stichell called, not compeiring is decerned to pay to James Dawsons in Hume byres for oatts bought and already receaved be him fra the persewer nyntein pundis and continews the Extract heirof for foure days till the Defender be heard be the Laird becaus of his pntt absence.

The qlk day George Dickesoune in Nether Stichell called, not compeiring is judicially decerned to pay to James Cossar portioner of Hassington six pundis Scots mony.

The qlk day William Hoggeard confest and is decerned to pay to James Dawsons foure pundis foure shillings.

And Adam Hamiltoune is decerned to pay to the said James 42 shillings.

Smithy work.

The qlk day Adam Hoggeard in Nether Stichell is decerned to pay to Kathrein Eastoune relict of the deceast Robert Lillie smythe there for smydy werke one pund eight shillings. James Lowry wester to the said Kathrein 11lb. 10 shillings 4d. And Johne Hoggeard is to relieve the said James Lowry of what pairt of the said sowmes he has receaved from him already. Robert Hog to the said Kathrein Eastoune confest . . . William Moffat to her 23 shillings. David Hoggeard to her for smydy werke 13 shillings 4d. And the said Johne Hoggeard and his spouse are decerned to releive them at the hands of the said Kathrein of what he or his said spouse has already receaved fra the defenders therof if any be.

The qlk day John Guttraw is judicially decerned to pay to Claims.
James Lowry eister confest foure pundis with foure fulls of
aits or else four merkes for the pryce therof.

The qlk day George ffrenche is decerned to give to Issobell
Trottar 7 hirdbollis fyve fulls of aits with nyntein shillings
mony.

The qlk day Adam Hoggeard is decerned to pay to Thomas
Hoggeard confest eightein pounds.

Tho. Pearstone Notar. Public, cler.

The qlk day John Lowry Barroun Officer of this Barony is Transgressors
of Planting Act.
decerned to poynd all transgressors of that Act made anent
Planting for the fynes and unlaws therein exprest.

The qlk day Johne Donaldsone, James Campbell and Johne Auditors.
Smythe are to be auditors to revise the Compts and determine
therein betwixt Richeard ffairbairne, Joanet Guttraw and
Kathrein Eastoune her mother-in-law and ordaine the said
Kathrein Eastoune to give foure pundis fyftein shillings of the
first end therof and what is not in the said Richeard his hands
therof to be payed to the said Kathrein be the said Joanet
4lib. 15 shillings.

The qlk day William Tailzieor in Queenscairne is decerned Fee £3. 9. 6.
and hose.
to pay to Cudbert Purveis for fee unpaid thre pundis nyne
shillings six penyes with a pair of sufficient new hose.

Ane uther Barroun Court halden at Stitchell Kirke upon (41)
1669, Oct. 23.
the 23rd day of October 1669 yeires be the beffor designed
Right Worthy Robert Pringill of Stitchell Barroun himself.

Curia legitime affirmata.

The qlk day George ffrenche in Over Stitchell and William Keeping Swine
in Summer.
Hoggeard wester in Nether Stitchell for keipeing swyne in
Summar contraire to former Acts of this Barrony Court are
unlawed in ilke ane twenty shillings.

The qlk day Adam Haggeard called, not compeiring is Rents.
halden as confest and decerned to pay to Mr. Francis Pringill
now of Rowingstoune¹ as assigney constitute be Margaret

¹ This is a brother of Robert the laird, and son of John Pringle who predeceased his father, the first Robert. Three sons of John are now accounted for: Robert the laird, Walter of Graycrook, and Francis of Rowingstoun. There were at least five other children of John Pringle.

Scot Laidy Stitchell his mother Twenty twa pundis four shillings for his proportioun of Maille for that pairt of the Maynes possest be him for the Teirmes of Candlemes and Lambes jajvi^e thre scoir and nyne yeires instant.

Claim. The qlk day the said Adam Haggard called not compeir-
ing is halden as confest and decerned to pay to Robert Lillie
smythe for smyddy werke eleven pundis eight shillings and ten
pennies.

Tho. Pearstone Nottar. Publict, cler.

Claim. The qlk day John Lowry is decerned to pay and redelyver
backe againe to Robert Hogge qlk was layed in pand in his
hand fyfty four shillings.

Absolvitor. The qlk day Robert and John Hamiltoun being persewed
be the Procurator ffiscall for Ryot, Straickes and Blood
aledged comitted be ilke ane of them upon uthers they denyed
bothe and the said Procurator ffiscall succumbed and failzied
in his probatioun wherfor the said Defenders are judicially
absolved and assoilzied quyte and freed therfrae for ever.

Claim. The qlk day John Guttraw called and not compeir-
ing is halden as confest and decerned to pay to Alisone Lowry eight
pundis Scots mony and continews the Extract heirof till the
Defender be heard beffor John Lowry and John Donaldsone
within eight dayes becaus of his present absence urtherways the
Decreit to be extracted.

Riot £10. The qlk day John Lowry Barroun Officer for Ryot and
Straickes confest comitted be him upon James Campbell is
unlawed in Ten pundis at the Laird his mercy.

Carriages. The qlk day John Lowry is authorised and impowered
to stent and collect mony for paying bygone cairiages propor-
tionally ilke ane for their awin pairtes and to pay for all
Maylles and bygone Cairiages therwith.

Not Planting
125. The qlk day the haill Tennents in Queenescairne neglecting
to perfect their pairt of that Act made anent planting are
unlawed and amerciati in ilke ane of them Twelv shillings
Scots.

Tho. Pearstone Nottarius Publicus, cler.

(42) .
1670, Oct. 8.

Ane Heid Barroun Court halden at Stitchell Kirke upon
the eight day of October jajvi^e threscoir and ten yeires Be the

beffor designed Right Worthy Robert Pringill of Stitchell Barroun.

The qlk day the haill tenents and Coatters being all lawfully wairned to this present day compeired all personally and tuike Instruments of yr appearance.

The qlk day compeired Robert Hogge and William Hut- Riot £5.
sone in Over Stichel and confest both judicially that they comitted Ryot and Straickes ilke ane upon uthers wherfor they are unlawed and americiat *ex consensu rei* in ilke ane fyve pundis.

Also Matthew Thompesone Webster for deforcing of Johne Deforcing £5.
Lowry Barroun Officer in poynding and lawful administratioun of his Office is unlawed in uther fyve pundis. Also Richeard Tailzeour for Ryot and Straickes comitted be him upon Riot £5.
Thomas Wood *ex consensu rei* is unlawed in uther 5lib. And the said Thomas Wood for provokeing the said Richeard to comitt the said Ryot be calling him unjustly a theiffe is unlawed Defamation £3.
in the sowme of three pundis by and attoure the Kirke Sessioun and together therwith.

The qlk day William Courtney is judicially absolved and Assoilzied.
assoilzied quyte and freed of the sowme of nyntein pundis Ten shillings acclaimed frae him be Johne Thompesone in Homebyres for the agreed pryce of certain strae bought frae the said persewer be the oathes of the said Defender.

The qlk day George ffrenche being called and not compeir- Cow £17.
ing is halden as confest and decerned to redelyver backe to William Courtney a Band made and subscrybed be the said persewer to the said Defender for seaventein pundis for the pryce of a Kow bought be the said persewer frae the said Defender to be cancelled and destroyed becaus the said Cow returned to the said Defender and was disponsed upon be him and to pay to the persewer thretty shillings.

The qlk day Johne Guttraw *ex consensu rei* is decerned to Cess.
pay to William Courtney six pundis eight pennyes Cesse.

The qlk day George ffrenche called not compeiring is Eatten oats.
decerned to pay to James Dawsons in Homebyres for oats eatten be his Bestiall and apprysed be the Bourlawmen Twelv pundis.

Also Robert Hog is decerned *ex consensu rei* to pay to Claim.

the said James Dausone for oats and utherways 20lib. 5 shillings.

Scandal. £5. The qlk day Johne frence for scandalling of James Dausone wrongously in calling him Theiffe and Knave is unlaued in fyve pundis Scots by and attoure the Kirke Sessioun and together therewith.

Claim. The qlk day Johne Guttraw *ex consensu rei* is decerned to pay to Robert Hogge fourtein pundis 14 shillings.

Absolvitor. The qlk day James Dawson is judicially absolved and assoilzied quyte and freed frae payment to Alexander Aitchysoune halfe a Bolle of aits sowing, and fodder alledged promitted to him be umqhile James Dawsone elder his deceast father becaus he succumbed and failzied *improbando* be famous witnesses upon oathe.

Fee, etc. £5. 6s. The qlk day William Hoggearth wester is decerned to pay to William Mylle for fee and utherways fyve pundis six shillings with a pair of sufficient shoes or else thretty shillings for the pryce therof.

Meal. The qlk day John Wood in Stichell *ex consensu rei* to pay to Johne ffairbairne in Newtowne Mylle for meille six pundis six shillings eight pennyes.

Claim. The qlk day George french called not compeiring is halden as confest and decerned to pay to James Campbell in Stichell Mylle twenty eight pundis two shillings Scots.

Absolvitor. The qlk day Adam Haggeard is absolved assoilzied quyte and freed for ever of eightein pundis acclaimed frae him be Johne Hoggeard his nephew be oathe of the said Adam.

Claim. Robert Hog *ex consensu rei* is decerned to pay to Robert Lillie smythe for smydy werke and utherways thre pundis twelv shillings twa pennyes.

The qlk day Johne Guttraw *ex consensu rei* is decerned to pay to James ffairbairne for fee and utherways 9lib. 3 shillings 8d.

Arbiters. The qlk day Johne Donaldsone and Robert Hamiltoune are to decyde and decern and settle that claim be James Thompesone against Adam Haggeard for ane ew and a lamb alledged lost upon his default and they to pronounce their ffinal Sentence therein within fyftein dayes nixt efter the dait heirop and the pairtyes are decerned to obey their Decreit.

The qlk day Alexander Robysone Maltman in Stitchell is ^{Arrears.} decerned to pay to Thomas Pearstone of Chairterhouse Nottar Publict as Cautioner for Johne Robysone in Hassingtoune his eldest brother conforme to their Band Ten pundis Scots resting unpaid of Thretty pundis with arryieres Annual rent of the said Thretty pundis.

Ita est attestor ego Thomas Pearstone Notarius Publicus cler.

Ane Heid Court halden at Stitchell upon the 9 day of December jajvi^e threiscore and eleven yeires be Robert Pringill ⁽⁴³⁾ 1671, Dec. 9. of Stitchell Barron of the Barronie thereof.

Curia legitime affirmata.

The qlk day John Haggard called Calsa End is judicially ^{Claims.} decerned to content and pay to Johne Hoggeard ther the sowme of Twenty eight shillings Scots mony as the pryce of a Seck modified be the Judge: Ten shillings eight pennyes of expenses.

The qlk day Johne Hoggeard son to Adam Hoggeard is judicially decerned to content and pay to Gustavus Young the sowme of Threttein pundis nyn shillings Scots mony adebted be the said Johne to Richeard Allan flesher in Kelso for which the said Gustavus became Cautioner and payed the samyn *ex confessione rei*.

The qlk day David Haggard in Stitchell is judicially decerned to content and pay to Thomas Hoggeard ther the sowme of fortie shillings Scots mony borrowit be the said David from him Two years since In respect of the persewers oath being referred thereto be the Defender Ten shillings of expenses.

The qlk day William Hoggeard wester is judicially decerned to make payment of the pryce of a full of oats and assoilzies the said William from fyve pund Two shillings acclaimed be ^{Mare £5. 2.} the said George from him as the pryce and worth of a Meer In respect of the said William his oath being referred therto be the said George that he accepted of the said Meer back again.

The qlk day John Wood in Stitchell is judicially decerned to ^{Claim.} content and pay to Johne Marshalle in Home the sowme of Thre pund Twelv shillings Scots mony as the pryce of certain Peats bought be him frae the said Compleaner three yeares

since *ex confessione rei* and assoilzies from the halfe pecke of wheat *ex consensu* threttein shillings foure pennyes of expenses.

Mare £26.

The qlk day John Wood in Stichell is judicially decerned to content and pay to James Dason in Humebairs Twenty six pund Scots mony as the price of a Meer bought and receaved by him from the said Compleaner at Michallmiss last *ex confessione rei*. Two merkes of expenses.

Channelkirk.

The qlk day Robert Hog in Stichell is judicially decerned to make payment to Richard ffairbairne there Twentynyn shillings Scots mony for leading of Timber from Genill Kirke in Summer last, In respect of the persewers oath being referred thereto six shillings eight pennyes of expenses.

Ale spilled.

The qlk day John Windrim younger, Cupper in Stichell is judicially decerned to make payment to William Courtney there fortie shilling Scots mony for the losse of Aill letten out be him pertaining to the Compleaner in respect of the judges modificatioun six shilling eight pennyes of expenses.

Beast
£4. 16.

The qlk day Johne Gotrae in Stichell is judicially decerned to make payment to William Masson in Newton Mylle the sowme of foure punds sixtein shilling Scots mony as the pryce and worth of certain Bestiall bought be him from the said Compleaner two years since *ex confessione rei* 13sh. 4d. of expenses.

Claims.

The qlk day William Mackdowell in Over Stichell is judicially decerned to make payment to Helen Duncan in Mackerstoune And Johne Aitchisone her husband the sowme of seven pund Scots mony Borrowit be him from the Compleaner seven or eight years since In respect of John Aitchison his oathe being referred therto.

The qlk day John Gotrae in Stichell is judicially decerned to make payment to Andro Burn there four pund fyftein shilling Scots mony for certain fies wrought be the said Compleaner from the said John Gotrae four years since In respect of the persewers oath being referred therto be the Defender 13sh. 4d. expenses.

Claims.

The qlk day John Haggard Calsay End and Alexander Giffen is judicially decerned to make payment to Robert Lillie smythe there the sowmes of mony underwritten to wit

the said John Haggard the sowme of fyve pundis seaven shilling ten penyes Scots mony for certain smith werk wrought be the Compleaner to him foure or fyve years since: the said Alexander Giffend threttie sh. money as the pryce of Aill and meall receaved be him in harvest last. John Haggard threttein shilling foure pennyes of expenses: Alexander Giffend eight shilling of expenses.

The qlk day Robert Lillie smith in Stitchell and William Courtney is judicially decerned to make payment to Andro *alias* David Haggeard there the sowmes of mony underwritten to wit the said Robert Lillie eight pund threttein shilling foure pennyes adebted be Richeard Concurr in Duncce to the said Compleaner and arreisted in Robert Lillie his hands: William Courtney 58sh. Scots which the said Compleaner was Cationer to James Richardson in Deceith for him Robert Lillie 13sh. 4d. of expenses: William Courtney 6sh. 8d. of expenses.

Ita est Jacobus Pringle Notarius Publicus cler. Attestor.

The qlk day Thomas Lambe indweller in Over Stitchell is judicially decerned to make payment to William Moffat indweller there fyve pund ten shillings Scots mony as the agreed pryce of Twa Staiggs grass¹ grassed be the persewer at Belton day last in respect of his confession 12sh. Scots mony of expenses.

(44)
December 28,
1672.
Two staigs'
grass £5. 10.

The qlk day William Moffat indweller in Stitchell is judicially decerned to make payment to Thomas Lambe indweller ther 4lib. 12sh. for hirling of his Bull and for mony adebted be him and for keiping these Staiges five or six years since or therby In respect of the Defenders his confessioun with 20sh. of expenses.

The qlk day John Guttrae indweller in Stitchell is judicially Various.

¹ A staig here means a young horse not yet broken for riding or work. Compare an old proverb, 'Corn is not for staigs,' *i.e.* they were to have grass, and not corn. Beltane is May-day or the first Monday of May, a relic of the ancient worship of the sun; and later, a term on which payments were made. A naig, as opposed to staig, is a riding horse. Paske is Easter. Riv land is land that has lain long unploughed. Lambes is Lammas Term in August.

decerned to make payment to Alexander Robesone in Altmuir indweller there 20lib. 10sh. 8d. for certain particulars entered in ane fitted accompt in respect of the Defenders null compeirance with 17sh. and 4d. of expenses.

One Nag = 11
Fulls of Oats.

The qlk day John Gutrae in Nether Stitchell is judicially decerned to make payment to Robert Lillie smyth ther the number of elevin fulls of oats as the pryce and worth of ane Naig bought and received be him from the said Compleaner at Mertimes last In respect of the Defender his confessioun.

1 Full of pease
at 37s. 8d.

The qlk day John Haggard Calsay End is judicially decerned to make payment to Kathrein Eastoune relict of the deceast Robert Lillie smith in Stitchell 37 shillings 8d. as the pryce of ane full of peise bought be him from the said Compleaner In respect of the Defenders oath being deferred therto be the Compleaner 6sh. and 8d. of expenses.

Claim.

The qlk day John Gottrae in Stitchell is judicially decerned to make payment to John Aiken servitor to William Lawrie, Officer 16lib. 15sh. Scots mony pairtlie as the pryce and werthe of ane Boll of peise and pairtlie as the remainder of certain fees awghtand be the Defender to the said Compleaner In respect of the persewers oathe being deferred therto by the Defender with 13sh. 4d. expenses.

Black Mare.

The qlk day John Haggard called Calsa End is judicially decerned to make payment to Andro *alias* David Haggard there the sowme of 7lib. mony as the remainder of ane black Meir bought and received be him from the said Compleaner at Paske last in respect of the Defenders confessioun with 12sh. of expenses.

Claim as to
ploughing.

The qlk day John Gotrae in Nether Stitchell is judicially decerned to make payment to Thomas Whyte in Over Stitchell 8lib. 18sh. mony which the Compleaner depurst for plowing of Riv land, and the Defender did never plow the samyn nor pay backe to him the said sowme In respect of the Defenders confessioun with 20sh. of expenses.

Fee.

The qlk day John Gotrae in Nether Stitchell is judicially decerned to make payment to Thomas Haggard ther 5lib. 10sh. money as the remainder of four yeares fee *ex confessione rei* with 12sh. of expenses.

The qlk day John Gotrae in Nether Stitchell is judicially

decerned to make payment to William Nizbet in Newtoun the sowme of 7lib. Scots money for halfe a years fee with 26sh. 8d. as the pryce of a pair of shoes of bountith *ex confessione rei* and assoilzies from six fulle of aits with 13sh. 4d. expenses. Half year Fee £7.

The qlk day Alexander Giffane in Nether Stitchell is judicially decerned to make payment to Thomas Wood there 4lib. Scots money as the pryce and worth of halfe ane Boll of beir bought and receaved be him from the said Compleaner at Lambes 1671 in respect of the Defenders not compearance with 10sh. of expenses. Half Boll Beir = £4.
Claim.

The qlk day John Haggard called Calsa End is judicially decerned to make payment to Robert Lillie smyth ther 48sh. Scots money for certain smith work and drink in respect of the Defenders not compearance with 6sh. of expenses.

The qlk day Thomas Haggard in Nether Stitchell is judicially decerned to make payment to William Lawrie Procurator ffiscall of the Court 5lib. Scots money for a Ryot comitted be him upon John Gotraw Indweller in respect that there was certain famous witnesses led in the said Action and did judicially prove the samyn. Riot £5.

Ita est Jacobus Pringle Notarius Publicus cler. Attestor.

1673 Jan. 28. The qlk day John Wilson called Sobber John is judicially decerned to make payment to William Lawrie Procurator ffiscall of the said Court the sowme of 20s. Scots money for ane Ryot comitted be him upon James Haggard in Nether Stitchell and for ane violent deforcement and bereaving him of ane Tether *ex confessione rei*. (45)
1673, Jan. 28.
Riot 20s.

The qlk day David Stark eldest lawfull son to Mr. David Stark is judicially decerned to make payment to William Lawrie Procurator ffiscall of the said Court the sowme of fyftie pundis Scots money for ane Blood comitted be him upon Peter Purves servitor to James Camble in Nether Stitchell In respect he confest and came in, will and decerns the said Peter Purves in 25lib. for the Blood wyte *ex confessione rei*. Blood £50.

The qlk day William Haggard wester is judicially decerned to make payment to Alexander Robesone Maltman ther the sowme of fyve pundis sextein pennyes pairtly borrowed and Drink.

pairtly for drink and four fulls of bear for four pund 16sh. as the pryce and worth therof *ex confessione rei* with 20sh. of expenses.

Claim.

The qlk day John Wilson in Stitchell is judicially decerned to make payment to George Nisbet ther of the sowme of 40sh. Scots money as the pryce and worth of a Seck borrowed and receaved be the said Defender from the said Compleaner at Whitsunday 1672 In respect of the Judges modificatioun.

Calumny £5.

The qlk day Margrat Atkin spous to Thomas Mill in Stitchell is judicially decerned to make payment to William Lawrie Procurator ffiscall fyve pundis Scots money for calumniating of Robert Hamiltoun ane of the sworne appryrsers and calling him Mansworne and many other opprobrious words which she confest and could not prove.

Scandal £3.

The qlk day James Cambell in Nether Stitchell is judicially decerned to make payment to William Lawrie Procurator ffiscall thrie pundis Scots money for scandellizing Andro Burn poundler ther in saying he did steill eightein harrow teeth from him in respect the said James Cambell was lawfully sunmoned to compear and did not and therfor was halden as confest.

Blood £50.

The qlk day James Hogge Litster in Stitchell Waulk Mill is judicially decerned to make payment to William Lawrie Procurator ffiscall of the sowme of 50lib. Scots money for ane Blood comitted be him upon James Lidgait servitor to Robert Hamiltoun in Stitchell in respect the veritie therof being referred to his oath refused to swear and decernes the said James Lidgait to the said Procurator ffiscall 25libs. money forsaied for the Blood wyte *ex confessione rei*.

Debts.

The qlk day Agnes Lillie relict of the deceast Patrick Giffane in Runningburne is judicially decerned to make payment to Walter Lawrie in Stitchell 52lib. 4sh. and 4d. Scots money pairtly borrowed and pairtly for fie ane certain tyme bygane in respect the said Defender was lawfully sunmoned to compear and did not and therupon the Judge decerned in manner forsaied.

The qlk day Adam Haggard elder in Stitchell is judicially decerned to make payment to Walter Lawrie ther the sowme of four pundis Scots money borrowit and receaved be him

from the said Compleaner a certain tyme bygane in respect the said Defender was lawfullie summoned and did not compear with 6sh. of expenses.

Ita est Jacobus Pringle Notarius Publicus cler. Attestor.

1673 May 17. The qlk day William Moffat Indweller in (46) Nether Stitchell and Henrie Hamiltoune Indweller ther is judicially decerned to make payment to Robert Lillie smith Claims. there the particular sowms of mony and others under written for the confest following ilke ane of them for their awn pairtes as is efter divided To wit the said William Moffat two fulls of oats with 20sh. of money for certain smith work wrought be the said Compleaner to the said Defender with 12sh. expenses and Henrie Hamiltoune 3lib. 19sh. 8d. also for smith worke with 10sh. of expenses in respect of their not compearance.

The qlk day James Hogge Litster at the Walke Mille of 3½ ells plaiding. 42s. Stichell is judicially decerned to make payment to John Stewart servitor to the Laird of Stichell 42sh. Scots money as the pryce and worth of Three ells and ane halfe of small plaiding delyvered be him to be littet and never redelyvered back again In respect the Defender did not compear with 10sh. of expenses.

The qlk day John Turner Schoolmaster in Stichell is judicially School Wages. decerned to make payment to Thomas Underwood ther of Ten pundis Scots money restand of school wages which should have been payed at Mertimes last *ex confessione rei* with 10sh. of expenses.

The qlk day John Gotrae indweller in Stichell is judicially Claims. decerned to make payment to James Brown Merchand in Kelso 58sh. Scots given in earnest to the Defender for fetching home of Key and for which he failed in respect of his non compeirance with 10sh. of expenses.

The qlk day James Leithheid Indweller in Nether Stichell Boots. is judicially decerned to make payment to James Dickson Cordinar in Ednam 26sh. 8d. Scots money as the remainder of a pair of boots fitting in August last In respect of the Compleaners oath being referred therto be the Defender with 6sh. of expenses.

The qlk day William Moffat in Over Stichell is judicially Cow.

decerned to make payment to John Dickson Indweller there 3lib. 8sh. Scots money as the remainder of the pryce of a Cow bought and receaved be the said Defender from the said Compleaner at Mertimes 1671 *ex confessione rei* with 8sh. money of expenses.

Mare.

Ale.

The qlk day William Moffat in Over Stitchell and Culbert Purves indweller ther is judicially decerned to make payment to Alex Robesoun Maltman in Nether Stitchell the severall sowmes of money underwritten for the confest following ilke ane of them for their own pairtes as is efter divided. To wit the said William Moffit six fulles and ane halfe and halfe a pecke of bear as the pryce and worthe of ane Mear bought and receaved be him from the said Compleaner in Harvest last *ex confessione rei* with 20sh. of expenses; the said Culbert Purves 30sh. and 10d. money for said for Ale in respect of his absence with 4sh. of expenses.

Fee.

Linen.

The qlk day George ffranche in Over Stitchell is judicially assoilzied from the sowme of six pundis Scots money of fie, 20sh. as the pryce of Two ell of Linning, 10sh. as the pryce of halfe ane ell of Whyte for bountith for a years fie and bountith wrought be Margrat Magdowall in Macarstone to him Nov. year and a halfe since in respect the persewer George ffranche compeared and craved compensatioun of the lyke soume of teind in a Decreit obtaind at his instance against the said Margrat Magdowall befor the Commissar of Peibles.

Debts.

The qlk day Alexander Giffan indweller in Nether Stitchell is judicially decerned to make payment to Cathrine Gaffine relict of the deceast Robert Lillie smith in Stitchell the sowme of 200 libis Scots money of Principall And hundredth and eightein pundis as the remainder of Ten years Annualrent therof of conteind in a Band made and granted be the said Defender to the Compleaners deceast husband of the dait the second day of January 1663 years and assigned be him to the said Compleaner upon the penult day of November 1665 years *ex confessione rei* with six pundis of expenses.

The qlk day John Gotrae in Stitchell, William Haggard wester ther, John Haggard called Calsa End ther, Thomas Haggard, William fford, and Adam ffairbairne is judicially decerned to make payment to William Courtney and Margrat

Trumble his spouse the severall sowmes of money under written for the causes following ilke ane of them for ther own pairts as is efter devyded To wit the said John Gotrae the sowme of 25libs. 8d. Scots money pairtly borrowed pairtly for harvest fies and other necessare *ex confessione rei*, William Hoggard 4lib. 1sh. money conforme to ane fettit account 10sh. of expenses, William ffurd 2lib. 2sh. 6d. pairtly borrowid and pairtly for Ail 6sh. of expenses Adam ffairbairne 2lib. 13sh. of borrowid money 8sh. of expenses, John Hoggeard 8lib. and 6d. *ex confessione rei* with threttein shillings four pennyes of expenses Thomas Hoggard four pund 17sh. 8d. money with 10sh. of expenses.

Ita est Jacobus Pringle Notarius Publicus cler. Attestor.

1673 November 8. The qlk day Adam Hamiltoun in ⁽⁴⁷⁾ Stitchell is judicially decerned to make payment to Alexander Brown, weaver ther the sowme of 12lib. Scots money as the pryce and worthe of a Naig bought and receaved be the Defender from the Compleaner at Mertimes last in respect of the Defenders absense being lawfully summoned with 24sh. of expenses.

The qlk day John Gotrae in Stitchell is judically decerned to make payment to Adam Hendersone ther of the sowme of 3lib. 4sh. Scots money as the pryce and worth of Two fulls of Kill-dryd pease bought and receaved be the Defender from the Compleaner at Michaelmas was a year in respect of the Defenders absense being lawfully summoned with 12sh. of expenses.

^{2 Fulls of Kiln-dried peas}
£3. 4s.

The qlk day Robert Hamiltoun in Nether Stitchell is judicially decerned to make payment to James ffairbairne in Over Stitchell and Elspeth Hoggard his spous the sowme of nyne punds Scots money for a years fee wrought be her to the Defender a certain tyme bygane: Twelve shilling for foure dayes Threshing. Thrid shilling for mawing In respect of the Compleaners oath being deferred therto be the Defender with 2 merkes of expenses.

^{Fee £9.}
^{4 days}
thrashing 12s.
Mowing 3s.

The qlk day John Haggard called Calsae End and Richard Taylor in Queenscairne is judicially decerned to make payment to George Wood in Greenknow the severall sowmes of money

Claims.

underwritten for the causes following To witt the said John Hoggard four pundis fyftein shillings Scots money as the remainder of certain ewes and lambes bought and receaved from the said John Haggard from the said Compleaner at Ternitie Monday 1672 Richard Taylor in Queenscairne 5lib. 15sh. money forsaid. Also for the remainder of certain ewes and lambes bought at the tyme forsaid In respect of the Defenders absence being lawfully summoned with 10sh. for ilke ane of the Defender's expenses.

The qlk day Agnes Lillie relict and executrix affirmed to the deceist Patrick Giffan in Runningburne is judicially decerned to make payment to Margrat Giffane in Stitchell the sowme of Threscoir fourtein pundis Scots money for certain fees and bounteiths wrought be her to the said Defunct *ex confessione rei* with 30sh. of expenses.

Calf £11. 14.

The qlk day William Moffit in Over Stitchell is judicially decerned to make payment to Issobell Ormstone in Queenscairne the sowme of 11lib. 14sh. Scots money and that as the pryce and worthe of a Calfe bought and receaved be the said Defender from the said Compleaner in the moneth of August last *ex confessione rei* with 20sh. of expenses.

Fee £5.

The qlk day Alexander Giffane in Stitchell and Agnes Lillie Relict of the deceast Patrick Giffane in Runningburne is judicially decerned to make payment to Christian Dickson in Newton for her selfe and in name and behalfe of Dorritie Service her mother the severall sowmes of money underwritten for the causes following ilke ane of them for their own pairtes as is efter divydit To wit the said Alexander Giffane 5libs. Scots money for certain fye wrought be the said Compleaners to the said Defender ane certain tyme bygain. The said Agnes Lillie 5libs. money forsaid. Also for certain fyes wrought be said Compleaners to the said Defenders and her deceast husband also ane certain tyme bygain *ex confessione rei* with ten sh. for ilke ane of the defenders expenses.

Excise.

The qlk day George Nisbet in Stitchell is judicially decerned to make payment to Alexander Robesone Maltman ther the sowme of 3libs. Scots money as the Excyse of ane Wedding made be the Defender at Whitsunday 1671 and assoilzies said

Defender for another 40sh. money forsaide acclaimed *ex confessione rei* with 10sh. of expenses.

The qlk day Robert Lillie smith in Stitchell is judicially decerned to make payment to George Nisbet ther 3libs. Scots money the Excise of certain Aill bought be the said Compleaner from the said Defender *ex confessione rei* with 10sh. of expenses.

The qlk day Agnes Lillie relict and executrix confirmed to the deceast Patrick Giffane in Runningburne is judicially assolzied from 4lib. 2sh. Scots money as the pryce and worthe of two yeeld ewes alledgit given in Grassing to the said Defunct ane certain tyme bygain be Samuel Leithhead in Stitchell In respect he referred to the said Defender her oath of verity whether or not she or her deceist husband received the said two ewes who being present deponed that neither she nor her said deceist husband received the samyne and therfor was assolzied therfor. ^{2 Ewes @ £4. 2.}

The qlk day William Moffit in Stitchill Thomas Whyte ther Alexander Lawrie ther, and Robert Hogge there is judicially decerned to make payment to Johne ffairbairne in Nenthorne Mill the severall sowmes of money under written for the causes following To wit the said William Moffit 9 libs. Scots money as the pryce and worthe of 21 peckes of oat meal bought be him from the said Compleaner at Whitsunday last: Thomas Whyte 28sh. also for oat meal; Alex Lawrie 28sh. also for oat meal; Rob Hoge 23sh. also for oat meal bought be them from the said Compleaner at the tyme forsaide In respect of ther null compearance with 40sh. money forsaide of expenses equally to be divyded amongst them conform to ther severall sowmes above written. ^{21 peckes meal £9}

The qlk day William Hoggard called Wester in Nether Stitchell is judicially decerned to make payment to Walter Lawrie ther the sowme of 8libs. Scots money as the pryce and worthe of a Bolle of bear bought and received be the said Defender from the said Compleaner two years since or therby In respect of the said Defender compearand personallie confest the debt above awin with 8sh. of expenses. ^{Bolle of Bear £2.}

The qlk day James Leitheid in Nether Stitchell is judicially decerned to make payment to George Pringle Maltman in ^{Claims.}

Kelso the sowme of 37lib. 16sh. Scots money as the pryce and worthe of certain malt bought and receaved be the said Defender from the said Compleaner ane certain tyme bygain In respect the said Defender compeared personallie and confest the sowme above written to be justly restand awand to the said Compleaner with 18sh. of expenses.

The qlk day Robert Hogge in Over Stichell is judicially decerned to make payment to James Walker in Linton Park the sowme of 45libs. 18sh. Scots money as the remainder of the pryce and worthe of certain oats bought and receaved be the said Defender from the said Compleaner at Midsummer 1672 years In respect of the verity of the Clame being referred to the Defenders oath confest the hail sowme above written except 40sh. money forsaid was justly adebted be him to the said Compleaner and therfor the Judge deduced the said 40sh. for end of the said sowme with 40sh. of expenses.

Lint.

The qlk day Adam Hammiltoune weaver in Stichell is judicially decerned to make payment to James Handisyde Merchand in Kelso the sowme of 6lib. 3sh. 8d. Scots money as the remainder of the pryce of 2 ston four pounds of Lint bought and receaved be the said Defender from the said Compleaner *in anno 1672 ex confessione rei* with 16sh. of expenses.

The qlk day John Gotrae in Nether Stichell is judicially decerned to make payment to Thomas Henderson ther 32sh. Scots money as the pryce and worthe of certain oat meall bought and receaved be the said Defender from the said Compleaner at Lambes 1672 In respect of the Defenders confessione being present with 8sh. of expenses.

2 Fulls Pear
56s.

The qlk day James Lawrie in Stichell is judicially decerned to make payment to George Pringle Maltman in Kelso of the sowme of 56sh. Scots money as the pryce and worthe of Two fulls of bear bought and receaved be him from the said Compleaner ane certain tyme bygain *ex confessione rei* with sex sh. of expenses.

Harvest Fee
67.

The qlk day Agnes Lillie relict and executrix confirmed to the deceast Patrick Giffane in Rinningburne is judicially decerned to make payment to William Lamb Indweller in Neutone the sowme of 7libs. Scots money for a harvest fie

wrought be the said Compleaner to the said Defender with halfe ane Bolle of bear and a pair of shoes of bountith *ex confessione rei* with 2 merks of expenses.

The qlk day Robert Hopper and Robert Hopper servitors to Mr Robert Hopper The said Mr Robert Hammiltone weaver in Stitchill and Andro *alias* David Hoggard ther is judicially decerned to make payment to William Lawrie Procurator ffiscall the severall sowmes of money under written for the causes following ilk ane of them for ther awn pairts as is efter divydit To wit the said Robert Hoppers the sowme of 50 punds Scots money for ane Blood comitted be them upon William Lawrie Officer in Stitchill and 25lib. for Blood wyte the said Mr Robert Hopper the sowme of 40lib. Scots for refusing to give his carriadges being requyred therto be the Officer The said Robert Hammiltone 5lib. money forsaid for abstracting of Hummle Corne¹ from the Mill of Stitchill at Lambes last contrair to the Acts of the Barron Court and Double Dewties for ane firlot of Hummle Corn to John Stewart farmer of the said Mill of Stitchill The said David Hoggard 10libs. money forsaid for ane Ryot comitted be him upon James Cambell in Stitchill In respect ther hail lybells were sufficiently proven be famous witnesses.

Ita est Jacobus Pringle Notarius Publicus clericus attestor.

The Barron Court halden at Stichell be Robert Pringle of Stichell heretable proprietor of the Lands and Barronnie therof the 30 day of July 1674.

Curia legitime affirmata.

The qlk day the said Robert Pringle of Stichell sittand Judgment hes judicially decerned James Leithead in to make payment to James Ker Merchand in Kelso the sowme of 48sh. Scots money borrowed and receaved be him from Jenet Aldcorne spous to the said Compleaner upon the 10 day of March 1672 *ex confessione rei* with 10sh. of expenses.

The qlk day Robert Lillie smith in Stichell is judicially

^{8½ days' shear-}
ing 39s. rod.

¹ In Roxburghshire, a lighter kind of grain, which falls from the rest when it is fanned. In Berwickshire the term denoted three bolls of barley with one of pease, made into meal. Stichell is in the former; Hume in the latter.

decerned to make payment to Thomas Vair and Margrat Richisone his spouse 39sh. and 10d. money forsaied for eight days shearing and ane halfe wrought be them to Agnes Lillie sister german to the said Robert and for which he promised payment with 6sh. of expenses *ex confessione rei*.

Claim.

The qlk day William Moffit in Over Stithell is judicially decerned to make payment to Marion Douglass relict of the deceist Gustavus Young 42sh. Scots money in compleit payment of 3lib. Scots acclaimed for certain particulars conteind in ane fettit accompt In respect the said William Moffit deferred the truth of the rest of the debt to the said persewers oath who refused to depone and therfor assoilzied him from the same with 6sh. of expenses.

$\frac{1}{2}$ full of Bear
12s.

The qlk day Euphan Lamb in Stithell is judicially decerned to delyver to Thomas Whyte ther half ane fulle of beare eatten and destroyed be the defenders Bestialls or 12sh. as the pryce therof *ex confessione rei* with 4sh. of expenses.

Claim.

The qlk day Robert Hammiltone in Stithell is judicially decerned to make payment to William Mill servitor to John Donaldsone ther 6 punds 10sh. Scots money for the remainder of thrie halfe years fee wrought be the said Compleaner to the said Defender foure years since or therby *ex confessione rei* with 13sh. and 4d. of expenses.

Boll of Bear
£7.

The qlk day Robert Lillie smith in Stithell is judicially decerned to make payment to George Pringle Maltman ffewar in Kelso 7lib. Scots money as the agreed pryce of ane Boll of Beare bought be him be the Compleaner ane year since with 8sh. as the anwelrent therof mair 28sh. as the pryce of certain yron *ex confessione rei* with 20sh. of expenses.

Claim.

The qlk day John Gotrae in Stithell is judicially decerned to make payment to Alexander Robesone Maltman ther 12lib. 8sh. partily borrowed partily for Aill and other particulars conteind in ane accompt In respect the said persewar referred the truth of the debt to the defender's oath who deferred the samyn to the persewar's oath who deponed positive with 20sh. of expenses.

Boll of Rye
£6. 6. 8.

The qlk day William Hoggard wester in Stithell is judicially decerned to make payment to William Trumbell 6 punds 6sh. 8d. Scots money as the pryce and worth of ane Boll of rye

bought be him from the said Compleaner two years since *ex confessione rei* with 12sh. of expenses.

The qlk day James Smith herd in Queenscairne is judicially Ewe 3 merks. decerned to make payment to James Purves in Ednem 5 merkes Scots money as the modified pryce and worth of ane milk ewe taken in herding from the Compleaner and did never delyver back the samyn nor skin nor lambe therof *ex confessione rei* with 12sh. of expenses.

The qlk day John Hoggard called Calsa End is judicially Bear. decerned to make payment to William Watsons gardner in Stitchell 18lib. 15sh. Scots money as the pryce and worthe of certain bear bought and receaved be him from the said Compleaner two year and three monethe since Including the anwelrent therof faithfullie promittit be him In respect he did not compeare being lawfully summoned with 2 merkes expenses.

The qlk day Robert Hammiltone in Nether Stitchell is Fees. judicially decerned to make payment to William Ramsay servitor to James Hoggard ther 14 pundis Scots money as the remainder of certain fies wrought be him to the said Defender Thrie years since or therby In respect of the per-sewers referring the truth of the debt to the Defenders oath who deferred the samyn backe to the persewars oath who deponed positive with 14sh. of expenses.

The qlk day Robert Tayler in Queenscairne is judicially Double Multure. decerned to make payment to John Stewart in Stitchell Mill Dowble Multure of ane Boll of wheat and malt abstracted from the Mill of Stitchell contrair to the Acts of Court *ex confessione rei* with 6sh. of expenses.

The qlk day Alexander Lowry in Nether Stitchell is Deforcing, etc. judicially decerned to make payment to William Lowrie Procurator ffiscall of the Court fyve pundis Scots money for de-forceing the Officer in executione of his office and disobeying to plough the Masters ground when he was requyred to doe the samyn And also Robert Tayler is judicially decerned to make payment to the said Procurator ffiscall of fyve pundis Scots money for abstracting of ane Boll of wheat and Malt frae the Mill of Stitchell contrair to the Acts of Court *ex confessione rei*. Abstracting wheat.

Claims.

7 full oats,
£7. 4.

6 full oats
£7. 4.

6 full pease,
£7. 4.

The qlk day William Hoggard eister in Nether Stitchell James Hoggard ther, Robert Hammiltone ther, Richard Tayler in Queenscairne, Thomas Lamb in Over Stitchell and John Gotrae in Nether Stitchell to make payment to Robert Lillie smith in Stitchell the severall sowmes of money victyall and others underwritten for the causes following ilke ane of them for ther awn pairts as is efter divydit To witt the said William Hoggard the number and quantity of seven fulle of oats or 7lib. 4sh. Scots money as the modified pryce therof mair 20sh. and 8d. money for certain smith worke wrought be the said Robert Lillie to him. Item James Hoggard 6 fulles of oats or 7lib. 4sh. as the modified pryce therof mair 56sh. 8d. for smith worke. Robert Hammiltone 6 fulls of oats or 7lib. 4sh. as the modyfied pryce therof Richard Tayler 3lib. 3sh. 8d. for certain smith worke. Thomas Lamb 6lib. 8sh. money for certain smith worke John Gotra 6 fulles of pease or 7lib. 4sh. as the modified pryce therof mair ane Boll of oats or 6lib. as the modified pryce therof mair 8lib. 19sh. money for certain smith worke wrought be the said Robert Lillie to him And decerned the said William Hoggard, Ja Hoggard, and Robert Hamiltone to pay to the said Robert Lillie ilk ane of them of expenses of pley Richard Taylor and Thomas Lambe ilk ane of them 8sh. of expenses of pley, John Gotrae 20sh. of expenses of pley In respect the haill persones above writt compeared personallie and confessed the sowmes above written to be justlie adebted to the said Compleaner except William Hoggard who deferred the truth of his debt to the said Robert Lillie his oath who deponed positive.

Ita est Jacobus Pringle Notar. publicus cler. attestor.

(49)
1674, Dec. 12.

Harvest fee £7.

Ane Head Barron Court halden at Stitchell Kirk be Robert Pringle of Stitchell Heretable Proprietor of the Lands and Barronie therof upon the 12th day of December 1674.

The qlk day Robert Lillie smith in Stitchell is judicially decerned to make payment to William Service ther 7libs Scots money for ane Harvest fie for the year 1673 in respect of the defenders confessioun.

The qlk day Thomas Lamb in Over Stitchell is judicially decerned to make payment to James Service the sowme of

5lib. 13sh. four pennyes for halfe a years fie for the year 1672 Fee $\frac{1}{2}$ year
£5. 13.
in respect the Defender has compeared and confest.

The qlk day James Leitheid and George Nisbett is judicially Shoes 5s. 6d.
decerned to make payment to George Wood in Nether Stit-
chell the particular sowmes under mentioned the said James
Leitheid 5sh. 6d. as the pryce of shin, George Nisbet, 6sh.
also for shin in respect of the defenders confessions.

The qlk day William Moffit in Over Stitchell is judicially Naig.
decerned to make payment to George Murrie in Coldstream
10lib. 18sh. Scots money as the remainder of the pryce of a
black stonnid Naig bought and received be the Defender from
the said Compleaner at Pasch last year 1673 *ex confessione rei*.

The qlk day John Gotrae in Stitchell is judicially decerned Peats 4 merks.
to make payment to William Sked in Falsyde four merks
Scots money as the pryce and worth of a Stack and a half of
peats bought be the Defender from the Compleaner 3 years
since or therby. In respect of the defenders absence.

The qlk day the hail inhabitants within the Toun of House rent or
tax 12d.
Stitchell are judicially decerned to make payment to John
Underwood 12d. Scots each house hald yearly for the . . . years
in respect of the former Acts of the Court.

The qlk day Robert Hogg in Stitchell is judicially decerned Fee $\frac{1}{2}$ yr. £4.
to make payment to Margrat Marshall in Facithill the sowme
of 4lib. Scots money for halfe a years fie wrought be the Com-
pleaner to the said Defender and that fra Whitsunday 1672 to
Mertimes 1673 In respect of the Defenders absence.

The qlk day William fford servitor to James Hoggard in Fee $\frac{1}{2}$ yr. 40s.
Stitchell is judicially decerned to make payment to Andro
Robeson ther or at least to Alex Robeson his son 40sh. Scots
money for halfe a years fie wrought be the said Alexander
Robesone to the said Defender fra Mertims 1672 to Whit-
sunday 1673 in respect of the Defenders absence.

The qlk day William Hoggard now eister in Stitchell is Boll of Peas
£10.
judicially decerned to make payment to George Patersone in
Galloshealls and Mart Douglas his spous 10lib. Scots money
as the pryce and worthe of ane Boll of peat undelyvered of
three Bolls qlk he should have delyvered about 4 years or
therby in respect of the persewars oath being deferred to be
the defender.

Shearing and
horse hire 38s.

The qlk day William Hoggard now eister in Stitchell is judicially decerned to make payment to James Thomson servitor to the Laidy Stichel 38sh. Scots money for shearing and draught of his Naig in harvest last 1673 *ex confessione rei*.

Wood £9.

The qlk day James Leitheid in Nether Stitchell is judicially decerned to make payment to George Nisbet ther Nyn punds Scots money as the pryce and worth of certain dealls and trees bought and received be the said defender from the said Compleaner 2 years since or therby.

Oats £8 per
Boll.

The qlk day James Smith and Alexander Lawrie in Queens-cairn is judicially decerned to make payment to William Taylor ther the number of 3 fulles of Muckitland oats eaten and destroyed be the defenders bestiall and apprysed be the sworn men or else 8lib. as the pryce and worth of the Boll therof In respect of the pursuers oath being referred therto be the defender.

Corn £9. 17. 6.

The qlk day William Moffit in Over Stitchell is judicially decerned to make payment to John Smith ther Nyn punds 17sh. 6d. Scots money as the pryce and worthe of certain Corne bought and received be the said Defender from the said Compleaner 2 years since or therby *ex confessione rei*.

Debt.

The qlk day John Gotrae in Nether Stitchell is judicially decerned to make payment to William Trumbell ther the sowme of 4libs. Scots money borrowed and received be the said Defender from the said Compleaner the space of 6 years since or therby *ex confessione rei*.

Ita est Jacobus Pringle Notarius publicus cler. attestor.

(50)
1675, July 31.

Ane Court halden at Stitchell Kirke upon the last day of July 1675 be Robert Pringle of Stitchell heretable proprietor of the Lands and Barronie therof.

Curia legitime affirmata.

Grass-rent £3.

The qlk day Thomas Lamb in Over Stitchell is judicially decerned to make payment to William Moffit ther the sowme of 3 libs. Scots money as the grass maill of ane Nolt which was taken be the Defender from the said Compleaner *in anno* 1674 and which nolt he did not grass conform to his conditione In respect of the persewars oath being deferred to be the Defender.

The qlk day John Hoggard Calsa End is judicially decerned to make payment to Alex Lowrie in Queenscairne the sowme 8lib. 6sh. 8d. Scots money as the pryce and worthe of sex Dunments and ewes bought and received be the Defender from the Compleaner *in anno 1673 ex confessione rei*. ^{6 Dinmonts and ewes £8. 6. 8.}

The qlk day Robert Hopper in Over Stitchell is judicially decerned to make payment to Margrat Scott¹ Lady of Queenscairne the sowme of 10lib. Scots money for ilk Boll, of sex Bolls 3 fulls of beare compting fyve fulls for ilk Boll with 2 merks money as the pryce and worthe of ilk peck of three Bolls with a full of oatmeall and quit for the maill and dewty of the land possesst be him pertaining to the persewer in lyfrent for the crop 1674 *ex confessione rei*. ^{Maill and duties.}

The qlk day Thomas Wood in Stitchell and Margrat Underwood his spouse is judicially decerned to make payment to William Lawrie Officer ther three halfe fulls of oats eatten and destroyed be the Bestiall of Thomas Neuton and John Lamb in Neuton and for which the said defenders becam Cautioner for them or else 3lib. 2sh. as the pryce and worthe therof *ex confessione rei*. ^{3 half fulls of oats £3. 2.}

The qlk day James Campbell in Stitchell is judicially decerned to make payment to George Nisbett ther eleven punds 17sh. 4d. Scots money as the remainder of fyve halfe years fie and bountith wrought be the said Defender to the said Compleaner 3 or 4 years since or therby In respect of the defenders absence. ^{Fees.}

The qlk day Richard Concurr in Dunse is judicially decerned to make payment to Alexander Robeson Maltman in Stitchell the sowme of 50sh. Scots money as the pryce of certain Aill and Beer drunken be the said Defender conform to ane futtet accompt maid betwixt them ane moneth since or therby in respect of Margrat Johnstone spous to the Compleaner her oath being deferred therto be the defender. ^{Ale and Beer.}

Ita est Jacobus Pringle Notarius publicus cler. attestor.

¹ She was widow of John Pringle, eldest son of Robert (the first laird) who predeceased his father. It would be this old lady who concealed William Veitch, the Covenanter, in Queenscairn, when the soldiers were seeking for him all round the house after the Conventicle of Fogo Muir about 1676.

(51)
1675, Nov. 12.
1 Stack Peats
4 merks.

The qlk day James Campbell in Stitchell is judicially decerned to make payment to Robert Edgar in Rummeltonlaw four merkes Scots money as the pryce and worth of a stack of peats bought and receaved be him from the Compleaner at Lambes last with 8sh. for mawing of grass *ex confessione rei*.

4 fulls of Oats
£4.

The qlk day Agnes Lillie relict of umquhyle Patrick Giffane in Runningburne is judicially decerned to make payment to William Service in Stitchell the sowme of 4lib. Scots money as the modified pryce of 4 fulls of oats as the remainder of 52libs. money conteind in a Bond made and granted be the said umquhyle Patrick Giffane to the Compleaner in July 1672 In respect of the defender compeared personally and confest.

1 Boll kiln-
dried pease
£11.

The qlk day John Gotrae in Stitchell is judicially decerned to make payment to David Robesone gardener at Eist Roxburgh the sowme of 11lib. Scots money as the true pryce delyvered be the Compleaner to the Defender for ane Boll of Kiln-dryed peis qlk he should have delyvered at Mertimes last *ex confessione rei*.

Claims.

The qlk day John Gotrae in Stitchell is judicially decerned to make payment to Alisone Hammiltone in Stitchell the sowm of 12sh. Scots for muck with ane full and 3 capfulls of oats for herding of the defenders bestiall *ex confessione rei*.

Muck 12s.

The qlk day John Smith at Park End Cautioner for William Moffit in Stitchell is judicially decerned to make payment to James Dasone in Harpertone the sowme of 5libs. Scots money as the remainder of certain corne bought be the said William Moffit from the Compleaner a year and a half since *ex confessione rei*.

5 Pecks Meal
£8.

The qlk day David Hoggard in Stitchell and Robert Hoge in Stitchell are judicially decerned to make payment to Peter Corbraith in Ednam the severall sowmes of money underwritten for the causes following To witt the said David Hoggard the sowme of eight pound as the pryce and worth of fyve peckes of oatmeall bought and receaved be him from the said Compleaner at Pasch last and the said Robert Hopper 35sh. as the pryce of ane peik of meall bought and receaved fra the said Compleaner at the tyme forsaid.

1 peck meal
35s.

(52)
1676, Dec. 19.

Ane Head Court halden at Stitchell Kirk upon the 19 day

of December 1676 Be Robert Pringle of Stitchell Heretable Proprietor of the Lands and Barronie thereof.

Curia legitime affirmata.

The qlk day Andro *alias* David Hoggard in Nether Stitchell Claims. was judicially decerned to content and pay to George Pringle Maltman ffewar in Kelso the sume of seven pounds 15sh. 2d. Scots money as the pryce of certain iron and other merchand goods bought and received be the said David Hogard from the said Compleaner ane certain tyme bygain *ex confessione rei*.

The qlk day Andro *alias* David Hoggard in Stitchell and Robert Lillie smith ther is judicially decerned to content and pay to Margrat Turnbull relict of umqhle William Courtney Indweller ther the sumes of money underwritten for the causes following To witt, The said David Hoggard the sum of 9lib. 17sh. Scots money conforme to ane particular futtit accompt herewith produced In respect thereof David Hoggard compeared and denyed the said Compt which the said Margrat instead of all farther probatioun referred the samyn to his oath who deferred the samyn to her oath who deponed positive.

The qlk day James Campbell Indweller in Stitchell is judicially decerned to content and pay to John Wilson ther the sume of 20sh. Scots money for not leiding of ten load of peits from the Moss of Home to Stitchell with 5sh. Scots of the damage of a yard whether the defender had conditioned with the Compleaner upon the Judges modificatioun.

The Moss of Hume.

Ane Head Court halden at Stitchell Kirk upon the 15th day of December 1677 be Robert Pringle of Stitchell heretable proprietor of the Lands and Barronie therof.

(53)
1677, Dec. 15.

Curia legitime affirmata.

The qlk day George Hamiltone son lawfull to Margrat Dickson in Nether Stitchell, George Hammiltone eister there, Gavin Utterstone servitor to Bessie Turnbull ther, William Ramsay indweller ther, Robert Hammiltone indweller ther, Ritchard and Robert Taylors in Queenscairne, and Andro Watson ther is judicially decerned to make payment to William Lowrie Procurator ffiscall of the said Court the severall sums underwritten for the causes following, ilk ane of

- them for their own pairts as is efter divydit To witt the said George Hammiltone and the said George Hammiltone eister ilk ane of them fyve pounds Scots money for ryots *hinc inde* upon uthers, in respect being proven be famous witnesses. The said George Hammiltone son to the said Margrat Dickson the sum of 10libs. Scots money for cutting of ane esh tree belonging to the right honourable the Laird of Stitchell in respect of his confessioun. The said Gavin Utterstone, and William Ramsay ilk ane of them in fyve pounds Scots money for ryots comitted be them *hinc inde* upon uthers in respect being proven be famous witnesses. The said Robert Hammiltone 30sh. Scots money for steiling away takeing be himselfe and Alexander Greenslae his servant of certain sheaves of peis belonging to the Teynd. The said Ritchard and Robert Taylors in Queenscairn and Andro Watsone ther, ilk ane of them fyve pounds Scots money for Leiding their cornes in harvest last unteynded contrair to the Act of Court In respect of their awn confessiouns being all personally pled wherfor the Judge decerned in manner forsaid.
- Riot £5.
- Cutting Ash Tree £10.
- Stealing pease 30s.
- Unteinded corn £5.
- Kain Fowls.
- Oats.
- Harden.
- The qlk day anent ane Complaint given in to the Court that the haill tennents of the Barronnie of Stitchell did not thankfully pay in their Kain Foulls dew and lyable in payment be them and ilk ane of them of the dew proportiouns of their Kain Foulls in dew tyme Therefore the Judge present with consent of the haill tennents being present for the tyme decernes the haill tennents to pay and delyver in the Kain Foulls to ther Maister in dew tyme conform to their Tacks good and sufficient to pleas the Lady of Stitchell or her order, or else to pay for ever of Kain Foull the sume of 8sh. of Scots money in caus of not delyverie Always at the said Lady her optione And this Sentence and ordinance to stand in force in all tyme comming and ordains the officer to put the samyn to dew executions.
- The qlk day Robert Hammiltone in Nether Stitchell is judicially decerned to make payment to Walter Gremslae ther halfe ane Boll of oats yeirly conforme to the rate of the Mercat ay and till the said Compleaner be fullie satisfied and payed of the sowme of nyne pounds Scots money as the remainder of certain fees wrought be Issobell Nisbett sister in law to the said Compleaner with ane ell of harden or 4sh. as the pryce

therof. Ane ell and a halfe of plaiding or 12sh. as the pryce ^{plaiding.}
therof. And modified 30sh. for the 50sh. lybellie conteind
in the last Article of the lyble *ex confessione rei* with 20sh.
money of expenses.

The quilk day Robert Lillie smith in Stitchell is judicially
decerned to make payment to Walter Lowrie in Rinningburne
the sowme of 36sh. Scots money as the pryce and worthe of
three halfe fulles of oats whilk the said Robert should have ^{3 half fulles}
delyvered to the said Compleaner as the remainder of a sowme ^{Oats 36s.}
of teynd in a Decreit obtained at the said Compleaners in- Teind.
stance against him *ex confessione rei* and assoilzies the said
Robert Lillie for the 20sh. lybeld as the pryce and worthe of
ane iron grape brought in be the said Walter Lowrie to the ^{grap 20s.}
said Robert Lillie his smiddy and not redelyvered In respect
the said Robert his oath of verity given theranent being
referred to the said Walter Lowrie with 6sh. 8d. of expenses of
pley.

The qlk day James Lamb in Stitchell is judicially decerned ^{Bear 12s.}
to make payment to James Lowrie ther the sowme of twelve
sh. Scots money as the pryce and worthe of the halfe of halfe
a full of bear and halfe a peck eatten and destroyed be the
said James Lamb his bestiall in Summer last *ex confessione rei*
with 4sh. of expenses and assoilzies the said James Lamb for
the full of oats lybeld in respect prescribed by the Act of
Court.

The qlk day Walter Lowrie in Rinningburne is judicially ^{half year's fee}
decerned to make payment to William Nisbett in Over Stit- ^{£3.}
chell the sowme of thre pundis Scots money for halfe a years
fie wrought be the said William Nisbett his sone to the said
Walter Lowrie *ex confessione rei* with 10sh. money of expenses.

The qlk day Andro *alias* David Hogard in Nether Stitchell ^{Service.}
and Elspeth ffairbairne sometime indweller ther and now at
Neuton Mill for her interest is judicially decerned to make
payment to Adam Neill in Stitchell the sowme of three pundis
Scots money adebted be the said Elspeith ffairbairne to the
said Compleaner in respect she fied William ffairbairne her
brother to serve him half ane yeirs tyme and that fra Candle-
mas last 1677 to Michaelmas last who entered home to his
service and remained about the space of 2 moneth or therby

and thereafter deserted his said service wherfor the Judge modified the said Elspeth ffairbairne and Andro *alias* David Hogard in whose hands the said sowme of three pundis was arreisted to make the samyn furth cumming with 6sh. 8d. of expenses in respect the said Elspeth ffairbairne compeared and confest and the said Andro *alias* David Hoggard being lawfully summoned oftymes called and not compeired was halden confest.

Schoolmaster.

The qlk day Alexander Robesone Maltman in Stitchell is judicially decerned to pay to John Turner Schoolmaster ther the sum of 35sh. 6d. Scots money received be the said Alexander Robesone—John Robesone his servitor from Thomas Willobie Merchand in Berwick to be delyvered to the said John Turner and which never was delyvered be them In respect of the said Alexander Robesones confessioun of the receipt of the money but declared it was sent to him for ane debt dew be the said Thomas Willobie to himselfe and the truth wherof he referred to the said John Turners oath of verity who deponed positive that the said 35sh. Scots money was dew to himselfe and assoilzied the said Alexander Robesone from the rest of the sowme of 6sh. 2d. sterling money with 6sh. 8d. of expenses.

The qlk day Robert Lamb in Stitchell and John Gotrae ther for his interest is judicially decerned to make furth cumming payment to John Turner schoolmaster ther 23sh. 4d. Scots money arreisted in the hands of the said Robert Lamb debtor to the said John Gotrae at the Compleaners instance about Whitsunday last for payment making to him of four merkes *ex confessione rei*.

Eaten Oats.

The qlk day anent ane Complaint given in be Bessie Turnbull relict of umqle James Hoggard in Stitchell against Robert Lamb indweller ther, and that wherby the defenders bestiall did eat and destroy to the said Compleiner the number and quantity of Thrie fulls of oats apprysed be the sworn men in harvest last And in respect the defender did compear personally and denyed that his bestiall did eat the said oats and the pundler also present could not clear the samyn neither could the persewer prove the eatting therof but declared that the said Robert Lamb his grass lay next ajacent to the said

Bessie Turnbull her cornes. And therfor alledged the ajacent grass should keip the wins. And it being matter of neighbourhood and of ane weighty concernment amongst the tennents the Judge present referred the matter debaittable to the decision and knowledge of John Donaldsone, Robert Hamiltone, James and John Lamb, James Campbell, and John Smith to report who thought it just and reasonable that every persones grass within the said Barronnie of Stitchell and possessoirs therof should keip their neighbours ajacent wins without it be proven that other beasts did eat the samyne and therfor the Judge present with consent of the fornamed persons and tennents being conveyed for the tyme has decerned and inacted and be thir pntts inacts and decernes for futur trouble in tyme cumming that every persons grasse next ajacent to ther neighbours corne shall keip the grasse without it be otherways proven that others beasts eat and destroy the samyne and this Act to stand in force in tyme cummeing.

Ane Heid Court halden at Stitchell Kirk be Robert Pringle of Stitchell heretable proprietor of the lands and Barronnie
 1678, Dec. 14. (54)

Curia legitime affirmata.

The qlk day Robert Lillie smith in Stitchell is judicially
 decerned to make payment and deliverance to John Stewart in
 Stitchell Mylne the number and quantity of three suggar loaves
 adebted and restand and awand be him to William Hopper
 merchand in Stitchell. And grants the said John Stewart had
 good and undoubted right be virtue of ane assignation granted
 be the said William Hopper to him and intimatioun following
 therupon. In respect the said Robert Lillie being personally
 pntt and confest the samyne to be in his custody and powr
 wherfor the Judge decerned in manner forsaid with 12sh. of
 expenses of pley.

The qlk day Robert Giffan in Stitchell is judicially decerned
 to make payment to Alexander Stott servitor to Robert
 Taylor in Queenscairne the sounge of 24sh. Scots money as the
 remainder of 7lib. 9sh. for certain feis wrought be the said
 Compleiner to the said Defender about 3 years since. In
 respect the Defender compeired personally and confest the
 Fees.

samyn to be restand awand wherfor the Judge decerned in manner forsaid with 8sh. of expenses of play.

(55)
1679, Dec. 20.

Ane Heid Court halden at Stitchell Kirk be Robert Pringle of Stitchell heretable proprietor of the Lands and Barronnie therof upon the 20th day of December 1679 years.

Curia legitime affirmata.

Half year's fee
50s.

The qlk day Margrat Turnbull in Stitchell and Thomas Courtney her sone are judicially decerned to make payment to James Dickson in Home the soume of 50sh. Scots money as half ane yeirs fie wrought be the said Compleiners daughter to the said defenders about seven years since or therby with 10sh. as the modified worthe and pryce of halfe ane elle of Linning and ane ell of harden as bountith *ex confessione rei* with 6sh. 8d. of expenses.

$\frac{1}{2}$ ell linen and
1 ell harden 10s.

The qlk day Robert Lilly smith in Stitchell is judicially decerned to make payment to William Dickson in Ednim the sowm of 4 merks Scots money as the pryce and worth of a wort-stain bought be the said defender from the Compleiner a certain tyme bygain *ex confessione rei* with 4sh. of expenses.

"
Wort stain
4 merks.

Debts.

The qlk day David Haggard in Stitchell and William Hoggard eister ther are judicially decerned to make payment to Margrat Turnbull in Stitchell the severall soumes of money underwritten ilk ane of them for ther own pairts as is efter divyded To witt the said David Hoggard the sowme of 3 pounds 5sh. Scots money borrowed and receaved be him fra the said Compleiner ane year since or therby *ex confessione rei* with . . . of expenses.

Weights.

The qlk day Robert Giffan in Stitchell is judicially decerned to delyver to John Stewart indweller ther, ane half a stane weight and two pound weight which was borrowed be him from the said Compleaner and detained be the said defender from the said Compleaner, and borrowit by defender, or els to delyver to him the sowme of 50sh. Scots money as the pryce and worth therof *ex confessione rei*.

7 Half fulles of
Oats 40s.

The qlk day James Ker at Stitchell Mylne is decerned to make payment to John Stewart in Stitchell the sowme of 40sh. Scots money as the modified pryce and worth of seven halfe

fulles of oats eatten and destroyed be the defender's bestiall in summer last and apprised be William Lawrie and Robert Hammiltone ordinar apprisers In respect the defender pnth confess the samyn and therfor the Judge modified and decerned in manner forsaid with 6sh. 8d. of expenses.

The qlk day John Turner in Nether Stitchell and John ^{Debts.} Wilsons at the Craig End is judicially decerned to make payment to James Lamb in Over Stitchell the severall soumes of money underwritten ilk ane of them for their own pairts as is efter divydit To witt the said John Turner the sowme of 40sh. Scots money as the modified pryce and worth of two . . . of hay eaten and distroyed by said defender's bestiall and which was apprised be John Gotrae, John Smith, and Thomas Whyte ordinar appryers Item the said John Turner and John Wilson the soume of 40sh. money forsaid equally to be paid betwixt them *ex confessione rei* with 8sh. of expenses.

The qlk day Margrat Turnbull in Stitchell is judicially de- ^{Malt.} cerned to make payment to George Pringle fewar in Kelso the soume of 3lib. 9sh. Scots money as the remainder of certain malt bought and receaved be her fra the said Compleiner three yeares since or therby In respect of the persewars oath being referred to be the said defender who deponed positive with expenses.

Ane Court halden at Stitchell Kirk be Robert Pringle of ⁽⁵⁶⁾ ^{1680, April 19.} Stitchell heretable proprietor of the Lands and Barronnie therof upon the nyntein day of Apryle 1680 years.

The qlk day Andro Geills in Home Byres and Andro Hud indweller in Rummilton Law is judicially decerned to make payment to William Lowrie Procurator ffiscall of the said Court the soumes of money underwritten the said Andro Geills ^{Blood £10.} the soume of ten pounds Scots money and that for a Blood comitted be him upon the said Andro Hud upon the 9th day of Apryle 1680 years in respect of . . .

The qlk day Robert Lillie smith in Stitchell is judicially ^{Debt.} decerned to make payment to Margrat Turnbull in Nether Stitchell the soume of 15libs. Scots money borrowed and receaved be the said defender from the said persewar about three years since or therby In respect of the said Robert Lillie

his own confessioun with 20sh. of expenses of pley wherfor the Judge decerned in manner forsaied.

(57)
1680, August 7.

Ane uther Court halden at Stithell Kirke the 7th of August 1680 years be the Right worthy Robert Pringle of Stithell heretable proprietor of the Lands and Barronnie therof.

Curia legitime affirmata.

Fine for steep-
ing Lint.

The qlk day the severall inhabitants within the town of Stithell are judicially decerned to make payment to William Lowrie Procurator ffiscall the soume of . . . Scots money ilk ane of them And therfor a fyne and amerciament imposed upon them for laying in into the Water of Eden and uther running waters ther Lint to the great prejudice of the Leidges and killing the fishes contrair the Acts of Parliament and Laudable Lawes of this Kingdom.

Riot £5.

The qlk day Robert Giffan in Stithell is judicially decerned to make payment to William Laurie Procurator ffiscall the soume of five pounds Scots money and that for ane Ryott comitted be him upon Adam Hoggard indweller ther *ex confessione rei*.

Fee.

The qlk day Robert Lillie, smith in Stithell is judicially decerned to make payment to Adam Hoggard ther the soume of 8libs. 6sh. Scots money as the remainder of ane years fie wrought be Issobell Nisbett his spouse to the said Robert Lillie about fyve years since or therby.

Debt.

The qlk day John Gotrae in Over Stithell is judicially decerned to make payment to Thomas Courtney Chapman in Stithell the soume of 58libs. Scots money adebted and restand awand be him to umqle William Courtney father to the said Compleiner and which is confirmed in her umqhle fathers Testament And sichlyke Robert Hammiltone indweller ther is decerned to pay to the said Compleiner the soume of 38libs. 4sh. money forsaied adebted restand awand be him to the said umqhle William Courtney and contained in his confirmed Testament *ex confessione rei*.

The qlk day Alexander Robeson in Nether Stithell is judicially decerned to make payment to Robert Lillie smith ther the soume of 9libs. Scots money and that for certain work wrought be the said Compleiner to the said defender in

respect of William Watson and James Pringle their determination to whom the business was referred *ex consensu partis*.

Ane Barron Court of Stitchell halden at Stitchell Kirk be Robert Pringle of Stitchell heretable proprietor of the Lands and Barrony therof upon the 27 day of November 1680 years. (581)
1680, Nov. 27.

Curia legitime affirmata.

The qlk day Robert Hammiltone in Stitchell is judicially Fee £3. 6. 8. decerned to make payment to James Hammilton weiver there the sowme of six pundis 4sh. Scots money for the causes following To witt Three pundis 6sh. 8d. for a harvest fie wrought be the said Compleiners wyfe to the said defender about 3 years since or therby with 6sh. as the pryce of 27 herring for supper 27 herring 6s. kitchen¹ and 3libs. 1sh. for work wrought be the said Compleiner to the defender about a year since or therby In respect the said defender compeired personally and confest the samyn to be awghtand deducing therof 12sh. for 3 fodder of corn loading.

The qlk day Richard Taylor in Queenscairn is judicially Debt. decerned to make payment to Alex Robeson malter in Stitchell the soume of 8libs Scots money borrowed and receaved be him fra the said Alexander Robesone about a year since past at Lambes last *ex confessione rei*.

The qlk day Richard Taylor in Queenscairne is judicially decerned to make payment to Margrat Turnbull in Stitchell four pundis 10sh. Scots money pairtly borrowed and pairtly for drink about four years since or therby Being lawfully summoned and not compeired was halden as confest.

The qlk day John Hoggard called Calsa End is judicially Absolvitur. assoilzied fra the sowme of 3libs. Scots money alledged adebted and restand awand be him to James Ker in Stitchell Mylne as the remainder of the pryce of a meir bought and receaved be the said John Hoggard fra the said James Ker upon the 25 day of July last bypast. In respect the said James Ker referred the truth therof to the said John Hoggard his oath who being present deponed negative Wherfor the Judge assoilzied.

The qlk day John Turner in Carchesters is judicially house rent £10. decerned to make payment to William Purves in Stitchell and

Margrat Richisone his spous the soume of ten pundis Scots money as the mail and duety of ane hous sett be the said John Turner to the said William Purves at Whitsunday last which hous was ruinous and therfor the said William could not enter therto as also failzied to suffer the said William Purves to plant three capfulls of Lint seid and halfe a full of peis and half a pecke of beans wherfor the said Compleiner and his said spous is damnified in the said sowme of ten present In respect the said John Turner being lawfully summoned after tymes called and not compeirand was halden as confest.

(582)
1681, Mar. 14.

Ane Barron Court of Stithell halden at Stithell Kirk be Robert Pringle of Stithell heretable proprietor of the Lands and Barrony therof upon the 14th day of March 1681 years.

Curia legittime affirmata.

Bringing home
the millstone.

The qlk day Cathrein Turnbull relict of the deceist James Campbell in Nether Stithell is judicially decerned to make payment to John Stewart ther the sowme of three pundis Scots money as his proportionall pairt for bringing home the Millstone¹ conform to the cast for the space of six years preceding his decease In respect the saids pairties present the said Cathrein Turnbull defender deferred to the said John Stewart his oath who deponnid positive.

Half year's fee
£8 and 4 pair
hose

4 pair hose or
44s.

The qlk day Cathrein Turnbull, relict of the deceist James Campbell in Nether Stithell is judicially decerned to make payment to Adam Hoggard ther the suim of 29libs. 7sh. Scots money counted and reckoned betwixt the Compleiner and defender upon the 6 January last bypast as the remainder of certain fies wrought be the said Compleiner to the Defender preceeding the said day Item the sowme of 8libs. money as half a years fie from Whitsunday 1680 to Mertimes 1680 last bypast with four pair of hose for the Compleiners use and his wifes or 44sh. as the pryce and worth therof In respect the said defender compeired personally and confest the samyn.

¹ This was accomplished by inserting a young ash-tree through the aperture of the millstone, and using it as an axle; all the neighbours taking turns in groups to trundle the millstone along the road without injuring the grinding surfaces.

Ane Heid Barron Court of Stitchell halden at Stitchell Kirke be Robert Pringle of Stitchell heretable proprietor of the Lands and Barrony therof upon the 26 of November 1681. ⁽⁵⁹⁾ 1681, Nov. 26.

Curia legitime affirmata.

The qlk day Cathrin Turnbull relict of the deceast James Cambell in Nether Stitchell is judicially decerned to make payment to Robert Lillie smith ther the soume of 3libs. Scots money as the pryce and worthe of 3 fulles oats or else the said 3 fulls of oats with 15 sheaves of shairping corne In respect of her confessione. 3 fulls oats £3.

The qlk day Thomas Milne in Stitchell is judicially decerned to make payment to Alexander Lowrie in Queenscairne the soume of 15sh. Scots money and that for certain eatten corne destroyed be the said Thomas Mylne his bestiall in harvest last apprysed be the ordinar sworn men within the Barrony wherfor the Judge modified in manner forsaid. eaten Corn.

The qlk day Walter Lowrie is decerned to pay to William Moffit in Nether Stitchell the soume of 4 merkes Scots money for certain fies wrought be the said persewar to the said defender In respect of the defenders awn confessione. Fees.

The qlk day John Hoggard called Calsay End is judicially decerned to make payment to John Dicksons cordiner in Stitchell the sowme of 38sh. Scots money as the pryce and worth of certain shoes bought and receaved be him fra the Compleiner In respect the said defender compeired personally and confest the samyne. Cordiner's Shoes 38s.

The qlk day Walter Lowrie in Rinningburne is judicially decerned to make payment to John Hoggard called Calsay End the sowme of 2lib. 18sh. Scots for certain oats and mawing In respect of his own confession. Oats and Mowing.

The qlk day George Hammiltone in Stitchell is judicially unlawed and americiatt to pay to the Procurator ffiscall fyve pundis Scots money for taking out of some nolt beasts out of George Miller at Stitchell Mill his stable at his own hands and brak up the said Compleiners stable door and took out the samyn at his own hands without any order efter they were taken out be the Compleiners servands and found pasturing on his grounds And the said George Hammiltone was assolizied Breaking Stable £5.

from the Ryot alledged committed be him upon the Compleiners servands.

Ox. The qlk day Thomas Galbreath in Stitchell is judicially decerned to make payment to Thomas Wood indweller ther the sowme of Glib. 16sh. 8d. Scots money as the remainder of the pryce of ane ox bought and receaved be the said defender from the said Compleiner a year since or therby In respect the said defender compeired personally and confest the samyne.

(60)
1682, Janry. 17. Ane Barron Court of Stitchell halden at Stitchell Kirk be the Right Worthie Robert Pringle of Stitchell heretable Proprietor of the Lands and Barronie thereof upon the 17 day of January 1682 years.

Curia legitime affirmata.

Decreit against the Weavers. The qlk day John Thomson weiver in Stitchell, William Thomson weiver ther, Alexander Hammiltoun weiver ther, Alexander Brown weiver ther, John Hamilton weiver ther, James Thomson weiver ther, Matthew Thomson weiver ther, Adam Hammiltoun weiver ther, George Hamilton weiver ther, Henry Cudbertson weiver ther, and James Aitchison weiver in Queenscairne is judicially decerned to make payment to John Underwood Procurator ffiscall of the said Court the soumes of money and others contained in the Acts of Parliament as contraveiners therof in not weiving ther cloath ane ell and inch broad as also in keiping of unsufficient weights and in not trying the samyn with the weights of John Horsbrugh of the Sherefdom of Roxburgh In respect the hail defenders compeired and confest that they were guilty of both the Articles of the said Lybell wherfor the Judge decerned in manner forsaid.

Deforcing the Bourlaw Officer
£5. The qlk day Thomas Galbraith in Stitchell is judicially decerned to make payment to the Procurator ffiscall of the said Court fyve pundis Scots money for deforcing of the birlae officers and ane Ryott committed be him in offering to kill any of them who poyndit any of his goods *ex confessione rei*, wherfor the Judge decerned in manner forsaid.

Cordiner 2 pair
Shoes
53s. 8d. The qlk day Robert Lillie smith in Stitchell is judicially decerned to make payment to John Dickson cordiner ther the

soume of 58sh. 8d. Scots money as the worth and pryce of two pair of shoes bought and received be the said defender from the said Compleiner about 2 years since or therby In respect of his confession etc.

The qlk day John Wilsone caryer in Stitchell is judicially ^{Carrier.} decerned to make payment to James Pringle servitor to the Laird of Stitchell and William Lowrie in Nether Stitchell the soume of 19libs. 10sh. Scots money as the aggryed worth and pryce of certain oats bought and received be the said John Wilsone from the said Compleiner in January last *ex confessione rei*.

The qlk day George Hammilton in the hill, and George Dick- ^{Debts.} son in Stitchell is judicially decerned to make payment to Mark Ker in Stitchell the severall soumes of money underwritten for the causes following ilk ane of them for ther own pairts as is efter devyded To witt the said George Hammilton the soume of 7lib. Scots money for Aill and borrowed money borrowed be him fra the Compleiners wyfe two years since or therby In respect of his own confessioun. The said George Dickson the sowme of fyve pundis 10sh. Scots money as ane harvest fie ^{Harvest Fee} wrought be the Compleiners servand to the said defender in ^{£5. 10s.} harvest last In respect he being lawfully summoned oft and dyvers tymes called and not compeirand was halden as confest.

The qlk day Adam Hammilton weiver in Stitchell is judi- ^{Timber} cially decerned to make payment to Thomas Underwood wright ther the sowme of four pundis Scots money and that for certain timber work bought and received be the said defender from the said Compleiner abuit Mertimes last In respect the said defender being lawfully summoned oft tymes called and not compeirand was halden as confest. ^{£4.}

The qlk day William Hoggard eister is judicially de- ^{Hay} cerned to make payment to John Hoggard called Calsay End the sowme of four pundis Scots money as the pryce and worth of some hay bought and received be the said defender from the said Compleiner about Mertimes last In respect the said defender being lawfully summoned oft and dyvers tymes called and not compeirand was halden as confest etc.

(61)
1683, Jan. 13.

Ane Heid Barron Court of Stitchell halden at Stitchell Kirk be the Right Worthie Robert Pringle of Stitchell here-table Proprietor of the Lands and Barronnie therof upon the 13 day of January 1683 years.

Curia legitime affirmata.

Debts.

The qlk day James Hoggard in Stitchell is judicially decerned to make payment to William Service indweller ther the soume of 10lib. 6sh. Scots money faithfully promitted be him to the said Compleiner, Yeull gin a yr. or therby. Item David Hoggard ther the soume of 5lib. 14sh. as the remainder of a certain soume of money adebted be the said David Hoggard to him, and as the remainder of certain cornes bought and receaved be the said defender fra the said Compleiner about the tyme forsaied.

Debts.

Item Walter Lowrie in Runningburne the soume of 28sh. for certain work wrought be him to the said defender 3 years since or therby And decerns the said James Hogard to pay to Compleiner 12sh. of expenses of pley, the said David Hoggard 8sh. Scots money of expenses, and the said Walter Lowry 4sh. money forsaied of expenses of pley. In respect they compeired all personally and confest the soumes of money above written to be justly adebted be them to the said Compleiner wherfore the Judge decerned in manner forsaied.

The qlk day Robert Hopper in Stitchell is judicially decerned to make payment to Robert Brown in Eccles the soume of 13lib. 5sh. Scots money as the remainder of the pryce of certain bears bought and receaved be the defender from the said Compleiner 7 years since or therby with 24sh. of expenses of pley In respect the said defender his own confessione.

Fee.

The qlk day Andro *alias* David Hoggard in Stitchell is judicially decerned to make payment to Andrew Robeson ther the soume of 3lib. Scots money as the remainder of fyve half yeirs fie wrought be the said Compleiner to the defender about two years since or therby In respect of the defenders own confession.

Tailor Work.

The qlk day Gavin Utterstone servitor to William Lowrie in Stitchell and William Hoggard eister are judicially decerned to make payment to George Jonstoun taylor ther the severall soumes of money underwritten ilk ane of them for ther own

pairs as is efter divydit To witt the said Gavin Utterstone the soume of 24sh. as the pryce and worth of ane fulle of oats ^{1 full of Oats 24s.} and that for certain taylor work wrought be the said Compleiner to the defender ane certain tyme bygain with 4sh. of expenses Item the said William Hoggard 18sh. as the pryce ^{1 full of Oats 18s.} and worth of ane other full of oats also for certain work In respect of the said Gavin Utterstone being lawfully summoned and not compeired was halden as confest and the said William Hoggard his own confessione with 4sh. of expenses of play.

The qlk day Walter Lowrie in Runningburne is judicially ^{Ewe £3. 6s.} decerned to make payment to James Purves the soume of 3 punds 6sh. Scots money and that as the pryce and worth of ane ew which was delyvered be the said compleiner to the said defender in grassing and did pay for the grass therof and was never restored back again to the said compleiner with 8sh. of expenses of play. In respect the verity of the said claim being be the said defender referred to the persewars oath who refused to depone wherfor the Judge decerned in manner forsaid and assoilzied the said defender from the soume of 9libs money forsaid In respect the defender deferred the samyn to the persewars oath who refused to depone as said is, Wherfor the Judge assoilzied in manner forsaid.

The qlk day William Dickson indweller in Stitchell is ^{Leading Corn 14s.} judicially decerned to make payment to Margrat Turnbull relict of the deceast William Courtney ther the soume of 14sh. Scots money and that for leiding in of the compleiners cornes in the tyme of harvest for which she allowed him certain gras for doing therof and assoilzied him wherfor the Compleiner was damnified in the forsaid soume with 8sh. of expenses of play In respect of her own confessione wherfor the Judge decerned in manner forsaid.

Ane Heid Barron Court halden at Stitchell Kirke be the Right Honourable Sir Robert Pringle ⁽⁶²⁾ ^{1683, Dec. 29.} ¹ of Stitchell Barronnett upon the 29 day of December 1683 yeares.

Curia legitime affirmata.

¹ Robert Pringle of Stitchill has now become a baronet.

1 full of peas
16s.

The qlk day John Lamb in Stithell is judicially decerned to make payment to James Thomson weiver ther the soume of 16sh. Scots money and that as the modified pryce and worth of ane full of peas eaten and destroyed be the Compleiners bestiall in summer last and which was apprysed be the ordinar sworne men within the Barronnie of Stithell.

Beare £10. 9.

The qlk day Richard Taylor in Queenscairne is judicially decerned to make payment to James Service in Stithell the soume of 10libs. 9sh. as the pryce and worth of certain beare bought and receaved be the said defender from the compleiner two years since or therby In respect the said defender compeired personally and confest the said sowme to be justly adebted and restand awand be him to the said persewar wherfor the Judge decerns in manner forsaide.

3 pecks oatmeal
£3

The qlk day Walter Lowrie in Rinningburne is judicially decerned to make payment to George Johnstone in Stithell the soume of 3libs. Scots money and that as the agreed worth and pryce of 3 pecks of oatmeall bought and receaved be the said defender from the compleiner in harvest last in respect of his own confession.

Weaving.

The qlk day Robert Lillie smith in Stithell is judicially decerned to make payment to John Thomsons ther the soume of 6lbs. 18s. 8d. and that for weiving of certain cloath to the said defender within this 3 years since or therby.

Cordiner.

The qlk day George Hammilton called also of the Hill, is judicially decerned to make payment to John Dickson cordiner ther the soume of 43sh. Scots money and that as the agreed worth and pryce of certain meall bought and receaved be the said defender from the said Compleiner ane year since or therby *ex confessione rei*.

Meal.

Debt.

The qlk day Robert Lilly smith in Stithell, Andro *alias* David Hoggard ther and Walter Lowrie in Runningburne ar judicially decerned to make payment to Thomas Courtney in Fogo the severall soumes of money underwritten for the causes following ilk ane of them for ther own pairts as is efter divydit To witt the said Robert Lilly the soume of 4lib. 7sh. Scots money and that as the remainder of certain iron bought and receaved be the said defender from compleiner ane year since or therby In respect the said Thomas Courtney

and the said defender compeired personally and the said persewar referred the verity of the said claime to the defender his oath who deferred the samyn to the persewars oath who depouned the said soume to be justly restand be him to the defender. The said Andro *alias* David Hoggard the soume of 5lib. 1sh. Scots money and that also as the remainder of certain iron bought and receaved be the defender from the compleiner about the tyme forsaid *ex confessione rei*. The said Walter Lowrie the soume of 3lib. 2sh. money also for certain iron about the tyme forsaid In respect of his own confessione.

The qlk day the hail tennants within the Barronny of Stitchell anent ane complaint given in be John Underwood Procurator ffiscall against them and ilk ane of them for keiping of insufficient dykes wherby ilk ane of them suffers their bestiall to eat and destroy their neighbours cornes to ther great hurt and prejudice contrair to the Acts of Court and Dayly Practiqs of this Kingdom wherfor the said Judge has decerned you and ilk ane of you to keip and make your dykes sufficient in tyme cumming and authorises the former Acts maid theranent and also for not paying of Vicaradge at Mertimas yearly which in tyme comming the Judge decerns them to pay punctually at the said Term yearly under the paine of Doubling.

Dykes ;
Vicarage Teinds.

Ane Barron Court of Stitchill halden at Stitchill Kirk be the Right Honourable Sir Robert Pringle of Stitchill Knight Barronnett heretable proprietor of the Lands and Barronnie therof upon the 19 day of May 1684 yeares.

(63)
1684, May 19.

Curia legittime affirmata.

The qlk day George Hammliton in the Hill is judicially decerned to make payment to Robert Giffan in Stitchill the soume of 3libs. Scots money pairtly for merchand goods and pairtly borrowed money ane year since or therby In respect of the said defender compeired personally and denyed the said claime which being be the Persewar referred to the defenders oath was deferred be the defender to the persewars oath of verity who deponnid positive and therfor the Judge decerned in manner forsaid.

Debt.

The qlk day Walter Lowrie in Stitchill is judicially decerned to make payment to George Johnstone ther the

7 days' work
215.

soume of 21sh. Scots money and that for 7 dayes work wrought be the said compleiner to the defender in Aprylle last or therby In respect the said defender compeired personally and confest the said sowme to be justly restand awand be him to the Persewar wherfor the Judge decerned and ordained in manner forsaid.

Malt.

The qlk day Marion Douglas in Stitchill is judicially decerned to make payment to David Home indweller in Home the soume of 10lib. 5sh. 8d. Scots money as the remainder of the pryce of two Bolls and a halfe of Malt bought and receaved be the said defender from the said Compleiner in the moneth of March 1683 yeares. In respect the said defender being lawfully summoned oft tymes called and not compeirand was halden as confest.

Riot.

The qlk day anent the claime given in be John Underwood Procurator ffiscall against Robert Lillie smith in Stitchill and Henry Sinclair Farrier ther making mention that wher upon the 18 day of January 1684 years last bypast they and either of them did in ane most violent inhumane and unchristian manner most maliciously and furiously hurt stryke and ding ilk ane of them another in severall pairts of ther bodies to the effusion of either of ther bloods in great quantity and therfor they and ilk ane of them ought and should be punished in ther body and goods conform to the Acts of Parliament and daily Practice of this Kingdom to the terrore of others to committ the lyke in Tyme cumming. The qlk claime being heard red seen and considered be the said Judge and the said Robert Lillie compeirand personally and confest ane Ryott efter probatioun given in be the said Henry Sinclair and denyed the blood and severall famous witnesses being adduced sworn and examined upon the poynts of that said Lybell The said Judge did find the said witnesses did prove sufficiently that the said Robert Lilly had committed ane blood wytte or ryott upon the said Henry Sinclair wherfor the said Judge onlawed and amerciat the said Robert Lilly in the said Blood and Bloodwytt and Ryott conform to the Acts of Parliament.

Unlawed.

Half year's Fee
£3. 6.

The qlk day Walter Lowrie in Rinningburne is judicially decerned to make payment to John Brocky and Alisoun Brocky his sister To witt to the said John Brocky the sowme of 3lib.

6sh. Scots money and that for halfe a years fie wrought be the said Compleiner to the said defender To the said Alison Brocky ^{Harvest Fee} the soume of 5libs. 10sh. money forsaid for ane harvest fie in ^{£5. 10.} harvest last *ex confessione rei*.

The qlk day anent the Lybell and Claime given in be John ^{Sumptuary law} Underwood Procurator ffiscall against Richard Taylor in Queenscairne William Thomsone in Stitchill Hector Turnbull ther Robert Hammilton ther Robert Waitt ther Robert Waitt mason ther John Wood ther Robert Lamb ther Walter Lowrie in Rinningburne Mark Ker in Stitchill Marion Douglas ther Jenett Mill ther Margrat Turnbull ther and George Hope in Park End Mentioning that whereas our Sovereigne Lord with ^{Marriages} advyce and consent of his Estaits of Parliament be Act of Parlia- ^{Baptisms} ment of the daitt the threttein day of September 1681 years Con- ^{Burials.} sidering the great hurt and prejudice arising to this Kingdome be the superfluous expenses bestowed at Marriages, Baptisms, and Burialls for repressing of which abuse in tyme cumming His Majesty with advyce and consent of his Estaits of Parliam- ment Does statute and ordaine that Marriages Baptisms and Burialls shall be solemnizat and gone about in sobber and decent manner and that at Marriadges besides the marrying persones their parents children brothers and sisters and the family wherein they live ther shall not be present at any Contract of Marriadge, mariage or infare¹ or meitt upon the occasion therof above four friends on either syde with their ordinary Domestick servants And neither Brydegroom nor Bryde nor ther parents or relations tutors or curators for them and to ther use shall make above two changes of rayment at that tyme or upon that occasion Certifying such persons as shall contraveine if they be Landit persones they shall be lyable in the fourth pairt of ther yearly valued rents. And these who are not Landit persones in the fourth pairt of ther moveables. Burgesses according to ther condition and means not exceeding 100 merkes Scots And mein craftsmen or servants not exceeding 100 merkes And if ther shall be any greater number of persones ther aforesaid in any house within

¹ An entertainment given upon the entry of a bride to her new home.

Burgh or Suburbs therof or within two mylles of the samyne wher Penny Weddings are maid that the Maister of the house shall be fyned in the soume of 500 merks. And it is statute and ordained that at Baptismes upon that occasione besydes the parents children brothers and sisters there shall not be present above four witnesses And trew it is that the . . . haill fornamid persones has contraveinid the said Act of Parliament wherfor they ought and should be unlawed and amerciat conforme to the tennor therof as the said Lybell bears which being callid and the haill fornamid persones . . .
[Unfinished in MS.]

(64)
 1685, March 10.

The Barron Court of Stitchill halden at Stitchill Kirk be the Right Honourable Sir Robert Pringle of Stitchill Knight Barronnett heretable proprietor of the Lands and Barronnie therof upon the 10th day of March 1685 years.

Curia legitime affirmata.

Debt.

The qlk day Robert Giffan in Stitchill is judicially decerned to make payment to Issobell Ormestoune in Queenscairne the soun of 36sh. Scots money as the remainder of 10 pounds as the pryce and worth of certain meall bought and receaved be the said defender and his wyfe about ten years since and the remainder of ane harvest fie In respect the said defender compeired personally and confest the said soumes to be treuly restand awand to the said Persewar wherfor the Judge decerned in manner forsaid.

Two Nags.

The qlk day Alison Gotrae relict of the deceast William Hoggard in Stitchill is judicially decerned to redelyver to Andro *alias* David Hoggard son to the said deceast William Hoggard Two naigs which pertained to the said Compleiner and was lent be him to his deceast father to be maid furth cumming to the Compleiner when he should call for them And which two naigs was bought be the said Compleiner from Adam Hoggard wright in Stitchill and Robert Hoggard ther about 3 years since or therby And accordingly payed for the samyn to them and whilk was in the custody of the said defender. In respect of the Depositions of severall famous and the said Compleiner his own oath In respect wherof the Judge decerned in manner forsaid.

The qlk day Alison Gotrae in Stitchill is judicially decerned ^{Bill.} to make payment to William Lowrie in Stitchill the soume of 6 pounds 10sh. Scots money of Principal with 30sh. of expenses contanid in a Ticket maid and granted be the deceast William Hoggard husband to the said defender to the said William Lowrie of the daitt the 20 day of December 1685 as als the soume of 24sh. money forsaid as the pryce and worth of certain strae bought and receaved be the said Defunct from the Compleiner ane year since or therby In respect of the Defenders own confession and of the Ticket produced wherfor the Judge decerns in manner forsaid.

The qlk day Alison Gotrae relict and executor to the ^{Redelivery of Cow.} deceast William Hoggard in Stitchill at least intromissatrix with the said Defuncts goods and geares is judicially decerned to redelyver to Robert Hoggard sone to the said Defunct ane claik hackit cow which pertained to him and which was bought be the compleiner from James Purves in Smailholm about seven years since or therby and was lent be the said Compleiner to the said Defunct to be maid furthcumming be him when he should call for the samyn which cow was in the possession of the said defender In respect of the persewars oath who deponnid that he bought the said cow from the said James Purves about the tyme forsaid with his own money and was delyvered be him to his said deceast father to be maid furthcumming when he should call for the samyn Wherfor the Judge decerned in manner forsaid.

The Barron Court of Stitchill halden at Nether Stitchill be ⁽⁶⁵⁾ the Right Honourable Sir Robert Pringle of Stitchill Knight ^{1686, January 2} Barronnett Heretable Proprietor of the Lands and Barronny therof upon the 2nd day of January 1686 yeares.

Curia legitime affirmata.

The qlk day Walter Lowry in Runningburne is judicially ^{2 pecks oat-meal 44s.} decerned to make payment to William Mill in Stitchill the sowme of 44sh. Scots money as the pryce and worth of two pecks of oat meill bought be the defender from the complainer two years since or therby with 3sh. as ane dayes threshing In ^{1 day's threshing 3s.} respect the said defender compeired personally and referred the truth therof to the defenders oath of verity who being all

present referred the samyn to the persewars oath who depounnid positive wherfor the Judge decerned in manner forsaide.

Dowcat Mains.

The qlk day Alison Gotrae in Stitchill is judicially decerned to make payment to Thomas Welsh Dowcat Mains the sowme of 6libs. Scots money pairtly for service and pairtly for oatmeall bought and receaved be the defender from the said complainer about 10 years or therby And likewyse assoilzies the defender from the rest of the Lybell and assoilzies William Moffat in Stitchill from the hail payments of the Lybell In respect the persewar referred the truth therof to the defenders oath of verity *simpliciter* and the said William Moffat depounnid negative wherfor the Judge decerned and assoilzied in manner forsaide.

Mare and
Corn.
Trinity
Monday.

The qlk day Thomas Hoggard in Stitchill, Principal, and John Hoggard called Calsay End his brother, cautioner for him is judicially decerned to make payment to James Purves in Smailholm the sowme of 12 pounds Scots money as the remainder of the pryce of ane mear and corns bought be the said Thomas Hoggard from the said Complainer at Trinity Monday last. *Ex confessione rei*. In respect therof the Judge decerned in manner forsaide.

Stack of peat
4 merks.

The qlk day Alison Gotrae in Stitchill is judicially decerned to make payment to George Wood in Rummelton Law the sowme of 4 merkes Scots money as the pryce and worth of ane Stack of peitts bought and receaved be her umquhile husband from the said Complainer about ane year since or therby with halfe a peck of beare of bountith or 4sh. as the pryce and worth therof *ex confessione rei*.

$\frac{1}{2}$ peck Bear 4s.

$\frac{1}{2}$ Boll Bear
£3. 15.

The qlk day Andro *alias* David Hoggard in Stitchill is judicially decerned to make payment to William Lawrie indweller ther the sowme of 3lib. 15sh. Scots money as the pryce and worth of halfe ane Boll of beare bought and receaved be the said defender from the said Complainer about 5 years since or therby *ex confessione rei* wherfor the Judge decerned in manner forsaide.

Minister.

The qlk day Andro *alias* David Hoggard in Stitchill is judicially decerned to make payment to Mr. Andrew Hammiltone minister of . . . and William Lowrie in Stitchill his factor the sowme of 5 pounds 6sh. 8d. Scots money as the

remainder of the pryce of ane naig bought and receaved be Nag. the said defender from the Complainer about 5 years since or therby In respect of the said defender his own confession.

The qlk day Robert Hopper in Stitchill is judicially concerned to make payment to Alexander Small wright in Gallo-shealls the sowme of 3lib. Scots money In contentation and satisfaction to him of 7libs. money forsaid acclaimed be him from the said defender as the pryce and worth of ane new wain Wagon Wheel wheill bought and receaved be the said defender from the said £7. Complainer three years since or therby.

Ane Barron Court of Stitchill halden at Stitchill be the Right Honourable Sir Robert Pringle of Stitchill Knight (66) 1686, Jan. 2. Barronnett Heretable Proprietor of the Lands and Barrony therof upon the 2nd day of January 1686.

Curia legittime affirmata.

The qlk day in presence of the said Sir Robert Pringle of Act of Parliament. Stitchill sittand in judgement anent the thirtyfourth Act of the First Parliament of King James the Seventh halden at Edinburgh the second day of January 1685 entituled Act ordaining that Tennents be oblidge by their Tackes to live regularly Quherin it is statute and ordained that all Masters whether heretors lyferenters proper wodsetters tutors tacks-men Donators of Wards or Lyferents shall in all tyme cumming insert in all Tacks to be sett be them to ther Tennents as weill in Burgh as Landwards ane expres claus wherby the Tenant shall obleidge himselfe that he, his family, cottars and servants shall live peaceably and regularly frie of all faniticall disorders, under the pain of the Tennent cottar or servant contraveining, ther loseing the halfe of their moveables respective each for ther own fault; And wher ther is no written Tack that all the Tennents shall enact themselves in the Masters Court-Book or in the Towns Court Books within the Burgh, or give Bond to that effect, and in the tennor for-said which enrollment of Court is to be subscribed by the Tennent or if he cannot wrytt be the Clerk of the Court in his name And if the Master or any of the persons forsaid shall fail here in they shall pay ane years rent of the Lands sett otherwyse,—a third part therof to the Discoverer if he

prove the same, and two parts to the Kings Majesty; and all Masters and others forsaid who have Lands already sett in Tacke without the said clause, are otherwyse ordained to enroll the same and insert the said Clauses in them, betwixt Whitsunday 1686 or to take ane oblidge ment apairt from the Tennent beiring these clauses otherways to remove summarily such Tennents as refuse to accept them on the said conditions notwithstanding of any former Tackes which in this caice are theirby declared voyd and null And in caice the Tennents will not immediately remove that the Master may committ them to prison And it is heirby statute and ordained that if any Tennent shall refuse to renew his Tack, enact himselfe or give Bonds in terms forsaid he shall be lyable to pay to his Master one years rent of the Lands sett to him And this but prejudice or derogation to all former Acts of Parliament wherby Masters are obleidged for their tennents in the manner concerning them respectively As the said Act of Parliament of the daitt forsaid in itselife more fully bears. Conforme to the which Act of Parliament and in obedience therto compeired the whole tennents¹ within the Barrony of Stitchill pertaining to the said Sir Robert Pringle and does hereby enact bind and obleidge them and ilk ane of them their airs and successors they they ther families, cottars and servants shall live peaceably and regularly free of all faniticall disorders in tyme comming under the paine and penalties containd in the said Act of Parliament maid theranent And that they and ilk ane of them shall fulfill and obey the said Act of Parliament in the wholl heads tenor and contents of the samyn in all poynts In witness wherof they have subscriybed thir pntts with ther hands as followes day, place and moneth and year of God above written:—Alexander Lowrie, Robert Taylor, John Dickson, Robert Giffen, Waltour Hennry, Robert Smith, John Watson, Adam Hogart, James Haggart, Robert Giffan, Robert Lillie, Mark Ker, James Hamelton, Willim Tomson, Adam Hender-son, John Donaldson.

Fanatical
disorders.

The whole
tenants.

¹ These number sixteen in all. A small tenantry to be commemorated in Baron Court Minutes! Some may not have come forward: others, perhaps, could not write.

The Barron Court of Stitchill halden at Stitchill Kirk be the Right Honourable Sir Robert Pringle of Stitchill Knight Barronnett Heretable Proprietor of the Lands and Barronnie therof upon the 20 day of October 1688 yeares.

Curia legitime affirmata.

The qlk day anent ane Complaint given in be Mr. William Keith schoolmaster at Stitchill against James Dickson in Stitchill, James Steill ther, Robert Giffen ther, and John Dickson ther, mentioning that conforme to the ancient custome which in this said Barrony the haille inhabitants therof wer in use to pay to the preceeding schoolmaster of the said towne the Kirk Dewes for Baptismes and Marriages within the said Barrony And therefore humbly cravit that the fornamid persons and ilk ane of them might be decerned to content and pay to him as pntt schoolmaster of the said towne ther respective proportions of the said Decreat for Kirk, for Baptismes, and marriages adebted be them and ilk ane of them as the said Complaint beares Which being called the said Judge sittand in judgment decerned and ordained the fornamid persons and ilk ane of them to content and pay to the said Mr. William Keith schoolmaster the said Kirk Dewes for ther marriages and Baptismes ilk ane of them for ther own parts conform to use and wont in manner following viz.—the said Ja Dickson for ane Baptisme the said James Steill Robert Giffan, and John Dickson ilk ane of them for ane marriage to be payed betwixt and Tuesday nixt being the 23rd October instant ilk persone under the pain of fyve pundis Scots and ordains the Barron Officer to put the samyn to execution.

(67)
1688, October 20,

Marriage and
Baptism dues.

Penalty £5.

As also the said day the said Judge sittand in Judgment anent ane complaint given in be the said schoolmaster¹ which the said Judge taking to his consideration inacts statutes and ordaines the haille tennents within the said Barronny who has children capable to learn to send ther children to the publick schooll betwixt and Tuesday nixt under the pain of ten pundis Scots ilk failzie and that none of the said tennants or cottars

Compulsory
Education.

¹ Here it is seen that in the parish of Stitchill during the 'Killing Time' there was a system of compulsory education already established.

Two full years'
Reading or
£10.

that have daughters shall send them to any sewing school within the Barronny till they have been two full yeares reading at the said publict schooll under the pain forsaid of ten pounds for ilk failzie *toties quoties* and ordaines the Officer to put the said Act to executione.

Ita est Jacobus Pringle Notarius Publicus cler. attestor.

(68)
1691, Feb. 28.

The Barron Court of Stitchill halden at Stitchill Kirk be the Right Honourable Sir Robert Pringle of Stitchill Knight Barronnett heretable Proprietor of the Lands and Barronnie therof upon the last day of February 1691 yeares.

Curia legitime affirmata.

Debt.

The qlk day Margrat Turnbull in Stitchill is judicially decerned to make payment to William Lowrie indweller ther the soume of 16 pounds Scots money borrowid and receaved be the said defender from the Complainer ane year since or therby In respect the said defender being lawfully summoned oftymes called and not compeired was halden as confest.

Calumny.

The qlk day John Robisone in Stitchill is unlawed and amerciatt in ten pund Scots money for calumniating of Alexander Dickson ther in his good name in saying he had sworne wrongouslie being in ane fencit Court *ex confessione rei*.

Peats 30s.

The qlk day Walter Lowrie in Rinningburne is judicially decerned to make payment to Manie Ackae in Home the sowme of 30sh. Scots money as the pryce and worth of certain peitts bought and receaved be the said defender from the complainer in Summer last In respect the said defender compeired personally and confest the same.

Absolvitor.
Eaten Oats.

The qlk day John Hoggard Calsay End in Stitchill is assolizied from 32sh. Scots money acclaimed be Walter Lowrie in Rinningburne for the pryce of certain oats alledged eatten and destroyed be the defenders bestiall in respect not persewid within a year and a day efter the alledged eatting therof.

$\frac{1}{2}$ peck oats 5s.
1 Capful pease
3s.

As also the said John Haggart is decerned to make payment to the said Walter Lowrie 20sh. Scots money as ane pairt of a carriage of wayne to Eyemouth 6 yeires since with 10sh. as a pairt of the carriage of a wayne to Coldstreame with 5sh. money as the pryce of half a peck of oats and 3sh. for ane capfull of peis borrowit and receaved be the defender from the

complainer within this fourtnight. Item Twenty shillings money forsaide for the carriadge of a load of lyme from Stitchill to Edinburgh within this Twelve moneth or therby Item 4sh. money forsaide as the fourth pairt of a carriadge of twa horse to Coldstream Item 50sh. money forsaide for twa Loades of corne leading *ex confessione rei*. Driving lime
to Edin.
20s.

Ane Head Barron Court halden at Stitchill Kirk Be the Right Honourable Sir Robert Pringle of Stitchill Knight Heretable Proprietor of the Lands and Barronnie therof upon the fourth day of November 1691 yeares. (69)
1691, Nov. 4.

Curia legitime affirmata.

The qlk day Walter Lowrie in Rinningburne is judicially decerned to make payment to Andro Wood at Sisterpath Waulkmylne the soume of 50sh. Scots money in satisfaction of 3libs. money forsaide acclaimed be the said Andro Wood from the said Walter Lowrie for halfe a yeirs fee wrought be the Complainer to the defender 4 yeirs since or therby *ex confessione rei*, with 6sh. 8d. of expenses. Waulk mill.
 $\frac{1}{2}$ year's fee
£3.

The said day Margrat Turnbull in Stitchill is judicially decerned to make payment to the said Andro Wood the soume of 3lib. 13sh. 4d. Scots money for half a yeirs fee wrought be the said Complainer to the defender 4 yeirs since In respect she being lawfully and ofttymes called and not compearand is halden as confest 8sh. of expenses. $\frac{1}{2}$ year's fee
£3. 13. 4.

The qlk day Ritchart Taylor in Queenscairne is judicially decerned to make payment to Robert Sinclair in Home the soum of 16lib. 10sh. Scots money as the pryce of ane cow bought and receaved be the said defender from the Complainer eleven yeirs since or therby wherof the said defender within this fourtnight promitted payment being lawfully and ofttymes called and not compeired was halden as confest with 20sh. of expenses. Cow £16. 10.

The qlk day John Hoggart in Stitchill and Magdalen Hammiltone relict of the deceast James Hoggart ther are decerned to make payment to Adam Hoggart wright the soume of 50 merkes Scots money arreisted in ther hands belonging and adebted be them to David Hoggart in Neutoun equally betwixt them *ex confessione rei* Superceiding Extract Claim.

of the said Decreit of Furthcomming against the said Magdalen Hamilton for the equall halfe of the said 50 merkes till such tyme as ther be executors confirmed to the deceast James Hoggart her husband.

Deforcement
£5.

The qlk day James Johnstoun herd in Queenscairne and Ritchart Taylor ther ilk ane of them are unlawed and amerciat in 5libs. Scots money for ane Deforcement comitted be them upon the Bourlaw Officer when he was executing his Office in taking violently from him certain poynds legally poynded be him And ordaines them to make payment of the said fyne within term of Law They being lawfully summoned oft tymes called and not compeired war halden as confest.

Taking use of
nag £5.

The qlk day James Taylzeor in Stitchell is unlawed in 5libs. Scots money for spuilzeing and away takeing of ane Naig belonging to Robert Giffan ther off the grounds and lands of Stitchill when the samyn was pasturing for the tyme. And ordaynes him to be pundet therfor *ex confessione rei* The said persewar and defender transacting before Court for the damage sustayned in want of the said Naig during the said space of 5 dayes the defender still made use of the same in rydeing to severall places in the country with the same and for his expenses in seiking of the said Naig 3sh.

$\frac{1}{2}$ year's fee
£5. 16.

The qlk day Walter Lowrie is decerned to content and pay to James Turnbull his servitor the soum of 4lib. 18sh. Scots money in contentation of 5lib. 16sh. money forsaid acclaimed for ane halfe years fie wrought be the Complainer to the defender two years since or therby In respect of the persewars oath being deferred therto be the defender with 12sh. of expenses.

Abstracting
grain £5.

The qlk day Walter Lowry in Runningburne is decerned and unlawed in 5lib. Scots for abstracting of his grist and corn¹ from the Mill of Stitchill as also decerned to make payment to George Johnstoun miller of double multure for halfe a Boll of Hummel corn abstracted be him from the said Mill In respect the verity therof being referred to his oath he refused to depone.

Hummel corn.

¹ This was the corn that a tenant was bound to have ground at the mill to which he was thirled.

John Robesone is decerned the said day for payment to the said George Johnstoun of double multure for 3 furlets of Hummel corne abstracted be him and unlawed in 5lib. for his transgression In respect of his refusal to depone.

John Mein is decerned to make payment to the said George Johnstoun of double multure for 2 furlets of Hummel corne abstracted be him from the said Mill of Stitchill and unlawed in 5libs. for his transgression all abstracted halfe a year since or therby In respect of his refusing to depone.

The qlk day Robert Taylor in Queenscairne is decerned to make payment to George Hammilton in the Hill fyftie three shillings four pennyes Scots money as the remainder of a harvest fie wrought be the Complainers wife Marion Purves in harvest bygain a year Ofttymes called and not compeiring was halden as confest.

Ane Barron Court halden at Stitchill Kirk be the Right Honourable Sir John Pringle¹ of Stitchill Knight Barronnett heretable proprietor of the lands and Barronnie therof upon the 5th day of September 1692 years.

Curia legitime affirmata.

The qlk day anent ane Complaint given in be John Underwood Procurator ffiscall of the said Court against the hail tenants and cottars within said Barronnie of Stitchill makand mention that wher they and ilk ane of them are obleidged to make dew and thankful service to the right honourable the Laird of Stitchill their Master conform to use and wont. And trew it is and of verity that the said inhabitants within the said Barronnie doe refuse to work the work of repairing of the Kirk of Stitchill conform to use and wont. And therfor they and ilk ane of them ought and should not only be decerned to make payment of such souns of money proportionably amongst them as the Judge should think fitt to modifie. But also inacted in tyme coming to work for repairing of the said Kirk and all other necessary work to the Laird of Stitchill therin when required as the said Complaint beares.

Double
multure.

Hummel corn.

Fee.

(70)
1692, Sep. 5.

Service of
tenantry to the
laird.

Repair of the
kirk.

¹ Observe here the name of the new laird, Sir John Pringle. The last occasion on which Sir Robert presided at a Baron Court was on the 4th November 1691.

Penalty £5.

Which the said Judge taking to his consideration ratifies and approves the former Acts made thereanent and unlaws the haill persons transgressors who refused to work ilk person in 5lib. Scots money. As also ordayn the haill persons in tyme coming proportionally and to furnish and bring with them barrows, ridles and other necessities for the said work as they shall be callid out and required ilk person under the pain of 5lib. *toties quoties* and this Act to stand in force in all tyme coming and to be put to dew and lawfull execution.

The qlk day Archibald Dickson in Stitchill is decerned to make payment to George Hammiltone in the Hill the soun of 12lib. 5sh. 8d. Scots money resting of 13lib. 6sh. 8d. for ane harvest fie wrought be the Complainer and Marion Purves his wyfe to the defender gain a year with 20sh. as the pryce of threescor and four supper herring *ex confessione rei*.

64 Supper
herring 20s.Act anent
insisting in this
Barron Court.

The qlk day John Hoggard and Magdalen Hammilton are ilk ane of them unlaed in 10libs. Scots money for summonding of Adam Hogart wright in Stitchill and insisting against him before the Commissary Court contrair to the Acts of Court *ex confessione rei* And ordayns that they and the rest of the inhabitants within this Barrounie insist in tyme comeing befor the Barron Court of Stitchill anent any action of neighbourhood under the pain of 5lib. Scots *toties quoties* and ratifies the former Acts made thereanent.

(71)
1692, Dec. 31.

Ane Head Barron Court halden at Stitchill Kirk be the Right Honourable Sir John Pringle of Stitchill Knight Barronnett heretable proprietor of the lands and Barrounie therof upon the last day of December 1692 yeares.

Curia legittime affirmata.

Debt.

The qlk day Mungo Archibald in Stitchill is decerned to make payment to John ffairbairn in Bowes the soun of 10lib. 18sh. Scots money Principall 13sh. 4d. of expenses of pley conteind in a Decreit obtained at the Complainers instance against the defender before the Baron Court of Eist Gordon upon the 3rd of August 1689 In respect the said defender compeired and alledged 4lib. Scots of the said soun payed qlk he referred to the persewars oath who deponnid negative with 21sh. of expenses.

The qlk day William Alexander in Stitchill is decerned to pay to Nellie Edmistoun relict and executrix confirmed to the deceist William Dickson in Ednim the soume of 22libs. Scots money as the pryce and worth of two Bolls of beare bought and receaved be the said defender from the said deceast William Dickson the Complainers husband about two yeires and a halfe since or therby wherof the said defender oft and dyvers tymes promitted payment In respect the said defender being lawfullie summoned oft tymes called and not compeirand was halden as confest 20sh. of expenses. ^{2 Bolls Bear £22.}

The qlk day Mungo Archibald is decerned to make payment to John Turten in Eist Gordoun the soume of 15libs. 16sh. 8d. Scots money contained in a Decreit obtained at the Complainers instance against the said Mungo Archibald before the Court of Eist Gordoun upon the 3rd of August 1689 yeires In respect of the Decreit produced and the defenders own confession. ^{Debt.}

The qlk day Mark Ker in Stitchill is decerned to pay to John Lamb in Newtoun the soume of 12lib. 4sh. Scots money as ane part of 13lib. 6sh. restand of a greater soun adebted be the said defender to the Complainer as the pryce of certain beare bought and receaved be the said defender from the said Complainer 4 years since or therby and assoilzied for the rest *ex confessione rei*. ^{Debt.}

The qlk day Ritchard Taylor in Queenscairne is decerned to pay to George Hamilton in the Hill the soun of six pounds 6 shillings Scots money as ane Harvest fie wrought be the Complainer to the defender in harvest last with 24sh. money forsaid as the pryce and worth of ane full of beare of bountith *ex confessione rei* with 12sh. of expenses. ^{Harvest fee £6. 6s.}

The qlk day Walter Lowrie in Runningburne is decerned to pay to Robert Hamiltoun in Stitchill the soume of 22libs. Scots money for the causes following viz. 18libs. money forsaid as the pryce of 9 fulles beare bought and receaved be the defender from the Complainer 2 yeires since or therby and 4libs. money forsaid as the remainder of 4 fulles of peise bought and receaved by the defender from James Lamb father-in-law to the Complainer and wherto the said Complainer has good and undoubted right *ex confessione rei*. ^{1 Full Beare, 24s. 9 Fulles Beare, £18.}

1 Stone Oats,
36s.

The qlk day Margrat Turnbull is decerned to pay to Thomas Underwood wright the soume of 36sh. Scots money as the pryce and worth of ane stone of oats eatten and destroyed be the defenders bestiall two yeirs since or therby which was apprysed be the ordinar appryrsers within this Barronnie of Stitchill *ex confessione rei*.

(72)
1693, Jan. 14.

Ane Barron Court halden at Stitchill be the Right Honourable Sir John Pringle of Stitchill Knight Barronnett heretable Proprietor of the Lands and Barronnie therof upon the fourteen day of January 1693.

Act anent
Crops, manur-
ing, rotation,
etc.

The qlk day the said Sir John Pringle sittand in judgment statutes and ordaynes the hail tennants and possessors of the lands of the Barronnie of Stitchill to manure ther lands and to keip the ordinar breaks with neighbour and others and to sow the quantitie and qualitie of the said corne as fourmerlie usit in all tyme coming and ryve out no pairts of ther said lands nor they were in use to doe in all tyme comeing under the pain of 40lib. Scots money to be payed be ilk person contraveines *toties quoties* And lykewyse no person to have the fourth cropt in the outfield or infield grounds¹ ilk person under the payne forsaid and ordaynes this pnntt Act to stand in force in all tyme hereafter.

2 Harvest fees,
£10. 10.

The qlk day Walter Lowrie in Rinningburne is decerned to pay to Issobell Hoggart daughter to the deceast William Hoggart wester in Stitchill the sowme of 10lib. 10sh. Scots money for two harvest fies wrought be the Complainer to the defender 3 years since or therby with 7sh. money forsaid for supper herring *ex confessione rei*.

Debt.

The qlk day Ritchard Taylor in Queenscairne is decerned to pay Ritchard Gotrae wright in Stitchill the sowme of 27sh. 6d. Scots money for certain particulars contand in an accompt produced, the defender being lawfullie cited ofttyms callid and not compeirand was halden as confest.

(73)
1694, May 8.

The qlk day Robert Giffan in Stitchill and Walter Lowrie for his interest are decerned to make furthcumeand payment

¹ This means that the ground was to lie fallow every fourth year, and to have no crop taken off it.

and delyverance to William Moffat of the soume of 10lib. Scots money adebted be him to the said Walter Lowrie and arreisted in his hands at the instance of the said William Moffat *ex confessione rei*.

As also the said day Robert Hamiltoun furthcumand payment and delyverance to the said William Moffat of three half fulls of oats and a capful adebted be the said Robert to Archibald Dickson in Stitchill and arreisted into his hands upon the 4th of May instant or 36sh. Scots as the pryce and worth therof *ex confessione rei*.

The qlk day Robert Hoggart in Stitchill is decerned and unlawed in ten pounds Scots money for breaking up of Andro Wilsons door under cloud and silence of night and assaulting and invading the said Andro threatening to kill him in his own hous In respect of the said Robert his own confessione. Housebreaking
and Assault
£10.

And the said Andro Wilson is unlawed and americiat in ten pounds for his contumacie in not compeiring to hear and see Decreit pronounced against him for scandalizing the said Robert Hogart in his good name and reputation by saying that he was ane knave and dishonest man and many other opprobrious words and expressions he being lawfullie sumond oftymes called and not compeirand. Contumacy and
Calumny £10.

The qlk day Patrick Millar is unlawed in ten pounds for Contumacie he being lawfully summoned oftymes callid and not compeirand to have heard witnesses led and adduced against him at the instance of the Procurator ffiscall for proving that the said Patrick threatened to fell the said Barbara Wilson spouse to Thomas Hendersone in Stitchill and to break her back and invading her house and avowing that he would burn the same and that he would burn her for ane witch.¹ Contumacy
£10.

Witch.

And that the said day Margrat Black spouse to the said Patrick Millar and the said Patrick Millar for his interest are onlaid in 5lib. for ane Ryott committed be the said Margrat Black upon Margrat Dickson spouse to John Anderson in Stitchill 20 days since or therby and was ordayned to pay Riot £5.

¹ An example of a vindictive accusation too common in that age, whereby many an innocent woman suffered martyrdom as a witch upon false accusation.

Corporal
punishment.

the same betwixt and the nixt Court day under the payn of corporall punishment¹ In respect the said Margrat Black compeired and confest the ryott.

Do.

The said day the said Margrat Dickson and the said John Anderson her husband for his interest are inlaid in 5 pounds for ane Ryott comitted be the said Margrat Dickson upon the said Margrat Black and ordayned to pay the same betwixt and the nixt Court day under the payn of corporall punishment *ex confessione rei*.

Harvest fee £5.

The qlk day Ritchart Taylor in Queenscairn is decerned to pay to Alex. Hopper in Stitchill 5lib. Scots money for ane harvest fie wrought be him about 4 years since or therby with 40sh. money forsaid restand of ane other harvest fie wrought be the Complainer to the said defender fyve years since 28sh. as the pryce of ane full of beare of bountith 12sh. money forsaid for supper herring the defender being lawfully summond ofttymes called and not compeirand was halden as confest.

Full of bear
28s.
Supper herring
12s.

Bringing home
the Mill-Axle-
trees.

The qlk Judge ordayns the haill tennents within the Barrounnie of Stitchill to bring home betwixt and Saturday come eight days the Mill-axetries lying at Aikwood under the payn of 20libs. Scots and ordayns the officer to poynd and compryse for the same immediately after refusal or delay whenever they shall be required to doe the same be George Johnstoun miller.

(74)
1694, Nov 17.

The Barron Court of the Lands and Barronny of Stitchill Halden at Stitchill Kirk be the Right Honourable Sir John Pringle of Stitchill Knight Barronnett upon the 17th day of November 1694 yeares.

Curia legitime affirmata.

Miller, his
Duties, Mul-
tures, Services,
etc.

The qlk day the said Sir John Pringle sittand in judgment ratifies all former Acts maid in favor of the miller and anent the multures and other dewties and services dew and payable at the said Mylne of Stitchill And statutes and ordaynes that all the tennents and other Residenters within the Barronnie of Stitchill shall grind their whole corns they shall make use off for ther families at the Mill of Stitchill Discharging

¹ This is rather an unusual sentence in Stitchill, and intimated to a woman too: she may have been a hardened offender. So too with her opponent, who was threatened also.

heirby for the tyme to come any person within the said Barronnie to sell ther corne in Mercats and buy meall with the pryce therof for the sustenance of ther families under any pretence whatsoever With certification who shall contraveine said Act shall be lyable in . . . multure to the miller besyds the penulties containd in the former Acts and in which it shall be thought fitt they should be americiat in by the judge.

No corn to be sold in market.

And sicklyke statutes and ordaynes the miller to keip good and sufficient Mill-stones and all other materials requisit in all tym comeing and lykewise ordaynes the miller to continew such measures as hes been used and wont formerly and ordaynes his servants and under millers to waitt punctually at the mill and give all dew and thankfull service under the said penalty and others as shall be thought fitt by the Judge.¹

Good mill-stones and service.

The qlk day the said Judge ratifies and renews all former Acts maid in Stitchill anent the planting of tries and lykewise statutes and ordaynes that every tennent plant six tries yearly at ten foott distance till his whole yaird be filled and every cottar thrie tries yeirly at the said distance till the whole yaird be filled. Beginning the first years Plantatione at the same term of Mertimes 1694 yeires And ordayns that the saids tries for this year be planted betwixt the daitt of this Act and the 1st day of January nixt to come under the payne of 5libs. Scots for ilk failzie The one half of it to be applyed to the use of the poor And appoynts Alexander Lowry and Thomas Underwood to make intimation of this to the Kirk Sessione Giving power to William Lowry Officer to poynd immediately for the said penalty when he shall be desyred to do the same be the Session And appoynts vesitors to put the said Act into executione viz. William Lowrie, Thomas Underwood, Jon. Donaldsone, and ordayns all the tennants and cottars forsaid to keip ther yairds under sure fence against all beasts for preventing of skaith either to themselves or ther

Acts anent Planting trees.

Tenants 6
Trees, Cottars
3 Trees.

Penalty £5.

Kirk Session.

¹ This Minute and its predecessor appear to indicate one of the periodical outbreaks of the tenantry against the miller as the representative of the vexatious thirlage. Mutual complaints had been raised; hence the judgments of the baron as to the inhabitants bringing home the mill-axletree from the Oakwood when called upon to do so by the miller; also the commands laid upon him and his servants anent proper service, etc.

Kinds of Trees.

Corn to the Mill.

Thirled. Half-a-crown penalty.

Debt.

neighbours Under certification forsaide And for incouradgment of the said tennants and cottars to put this Act into executione a grant is heirby maid to them of everie sixt trie so planted to be made use of at ther pleasure and cutt at the sight of the proprietor or any of his appoyntment The kynds and species of tries are declared to be as follows Esh, Elm, Allar, and Saugh according to the different nature of the ground wher they are to be sett. And renews all former Acts maid anent the bringing of good and sufficient dry corne to the myller of Stitchill under such penulties containd in the former Acts maid theranent.

Certifying lykewyse that if the corn rejected be the miller be found to be good and sufficient he shall be obleidged to grind the samyn corn multure free.

The qlk day Andro Murdy servitor to George Johnstoune miller at Stitchill Mylne or any uther servants at the said mill ar ordayned in all tyme cumeing to give thankfull service to the Tennant and uthers thirled to the said mill under the penalty of halfe a crown¹ for ilk failzie the one halfe to be applied to the use of the Complainer.

The qlk day Robert Hoggart in Stitchill is decerned to pay to Jannett Puntan ther the soume of 50sh. Scots money in contentation of 4libs. money forsaide acclaimed be the said persewar from the said defendar which was borrowid and receaved be them fra the deceist Elspeth Johnston sister-in-law to the Complainer. To which soume the said Complainer obtained ane precept from William Johnstoun in Blakader who had good and undoubted right therto upon the defender ordering him to pay the samyn to the Complainer. The said defender compeiring and acknowledged the forsaide soume to be restand awand but cravid compensation for his alledged keeping and intertaining the said defunct at his house for the space of twenty days Which the said Judge sustayned In respect of his oath being referred therto by the persewar and modified *ex consensu* half a crown for the same to be deduced off the said foure punds acclaimed.

¹ This is the first indication of the supersession of the ancient Scots money by the English money sterling.

The qlk day the hail tennants and cottars compeired and took Instruments of ther said compeirance being lawfully summoned and called at this heid Court.

As also the wholl Tennents and cottars wer onlaid and americiat ilk ane of them in 40sh. Scots money for contraveining the Acts of Parliament made anent Laying in of Green Lint in Lochs and Burns and Running Waters *ex confessione rei*. Green Lint in Lochs, etc.

The Courts of the Lands and Barronny of Stitchill halden at Stitchill Kirk be the Right Honourable Sir John Pringle of Stitchill Barronnett heretable proprietor of the Lands and Barronny of Stitchill and pertinents upon the 4th day of May 1695 yeares. (75)

The which day the said Sir John Pringle sittand in judgment upon ane Complaint given in be severall of the Tennants within the said Barronny bearing that herds and others does to ther great prejudice pull the woull of the sheep pasturing upon the saids Lands of Stitchill which the Judge taking to his consideratioun Dischairges herds and all uthers within the said Barronny to pull the woull of the sheep pasturing upon the grounds and Lands of Stitchill in tyme comeing under the severall penalties both of ther persons and goods. With respect certificatione that parents and masters of families shall be lyable the parents for ther children within ther own doors and the Masters for such herds and servants as have no waidges. Pulling wool off Sheep.

And sicklyke Inacts statutes and ordaynes all these that cast divots upon the said grounds and Lands of Stitchill or upon any pairt within the Barronny therof to lead them away with the first convenience certifying that if they be suffered to lye so long as shall indammage the ground in which they are casten or occasion the casting of new divots In that caice the casters shall be lyable to the master of the ground in the full value of the divotts and ordayns the Burlaeman to look diligently to see the said Act put to deu executione with certification, etc. Casting divots.

The qlk day Thomas Underwood, John Brunton, and Patrick Miller are adjoynd to the present Burlaemen who gave their oaths *de fideli administratione officiorum*.

Absolvitur.

The which day James Turnbull in Stitchill is assoilzied from seven sheaves of peas strae acclaimed from him be Patrick Millar alledged furnished be the Complainer to the defenders sheip the tym of the storm in winter last In respect of the defenders oath being referred thereto by the Persewar.

Claim.

The which day Ritchard Gotrae wright in Stitchill is judicially decerned to make payment to James Matthew ther the sowme 32sh. 6d. Scots money for certain cowan work¹ wrought be the Complainer to the defender in harvest last In respect the Persewar and defender both compeired personally and the defender alledged that the Persewar promised to accept of four bed stoups in contentatioun of the soume lybelled which he referred to his oath who deponnid negative.

Chest.

The which day Mart Hamilton spouse to Robert Dickson in Stitchill and the said Robert for his interest are judicially decerned to pay to Adam Hoggart wright ther 44sh. Scots money as the remaynder of the pryce of ane meikle Cheist bought and receaved be the said defender Hamilton from the Complainer 10 years since In respect the defender being lawfullie summoned ofttymes callid and not compeirand was halden as confest.

(76)
1695, Nov. 23.

Ane uther Head Court of the Lands and Barronny of Stitchill halden within the kirk therof be the Right Honourable Sir John Pringle of Stitchill Baronett upon the 23 day of November 1695.

Curia legitime affirmata.

Lint in
Streams, etc.

The qlk day compeired the wholl Tennants and cottars within the said Barronny and took Instruments of their compeirance.

And also the forsaid day the wholl Tennants and Cottars wer unlaid and americiat conform to the Act of Parliament each one of them for contraveining the Act of Parliament in laying in of their Green Lint in Lochs, Burns and other Running waters *ex confessione rei*.

Worker for
Churchyard.

The which day the haill Tennants and cottars within the

¹ This seems to mean pruning or lopping off branches. It might also refer to the building of dry-stone dykes.

said Barronny are ordayned to furnish a sufficient worker day about for carying out the Rubbish lying in the Churchyard when they shall be required to doe the same.

And lykewyse he ordaynes and requires all the said Tennants and Cottars when they pay ther Rents at Mertimes to bring in with them the respective Vicaradges¹ of ther Lands and Coattyards. This is ordayned to be extendit to the Castle Wairds.

And in like manner ordaynes the visiteris appoynted in the Act anent Planting maid in November 1694 to take Inspection how the same hes been observed and to report the nixt Court day And ordaynes the same to be observid yearly In tym cumeing till it have the designed effect. The qlk day John Wilsone and James Robison are both inlaid and amer-
ciat each of them in 5libs. Scots money for injust setting of their Stoucks² of a design to prejudice the teynding in Harvest last contraire to all Law and equity and reason and Acts of this Court In respect being lawfully summond for that effect.

The Court of the Lands and Barronny of Stitchill Halden within the Kirk therof be the Right Honourable Sir John Pringle of Stitchill Barronnett heretable Proprietor of the Lands and Barronnie therof upon the 21 day of December 1695.

Curia legitime affirmata.

The qlk day the said Sir John Pringle sittand in judgment dischairges all residerents tennents as weill as coatters within the Barronny to vend any meall of one sort or other within the said Barronnie but what they shall grind at the Mill themselves or buy from other residerents within the Barronnie.

Item it is statute and ordayned that no execution of arreistment and poynding to be maid for any grain lying at

Vicarage
Teinds

Cheating at
Teinding.

(77)
1695, Dec. 21.

Meal to be
ground at
Stitchill Mill.

Corn at the
mill not to be
arrested.

¹ This means the vicarage teinds payable from the produce of the lands and cot-yards.

² These two men had so artfully arranged their stooks of corn that every tenth stook would contain the thinnest and poorest corn, to the prejudice of the laird or the minister when drawing their teinds.

10 Ells of
Cloth as yarn
£5.

14 Ells of cloth
as yarn £8. 8s.

Nag.

Contumacy £5.

Waulk Mill.

the Milln or against the millers for that effect but that the same be personallie execute against those to whom the saids grain pertains or at ther dwelling hous within the Barronny of Stitchill for all tyme thereafter. The which day James Hogg weiver in Stitchill is judicially decerned to make payment to Elspeth ffairbairn spouse to John Robison Indweller ther and the said John for his interest the soumes of money following for the Causes efter specified viz,—the soume of 5lib. Scots money as the pryce of Ten elles of cloath which was delyvered be the Complainer to the defender in woollen yairne to be woven be him two years since or therby and never redelyvered Item the soume of 8lib. 8sh. money forsaid as the pryce and worth of ane parcell of scoured and reilled yairnes delyvered be the Complainer to the defender ane year since which was said to be 14 elles of good and sufficient cloath which cloath the defender refused to weave and most wrongously detaynes the same from the Complainer to her great prejudice The same being in hazard of rotting In respect the said Defender being lawfully summoned to have compeired this day and place as was sufficiently verified be the Officer at the Barr ofttymes called and not compeirand was halden as confest Allowing to the Defender Liberty to redress himself if he can instruct the Persewer has chaiged him with ane unreasonable value of the yairne.

The which day Hector Turnbull in Stitchill is judicially decerned to make payment to Alexander Hislop wright ther the soume of 10 pounds 8sh. Scots money as the remainder of the pryce of a Naig bought and receaved be the said defender from the said Complainer at Lambes last In respect of the defenders confession.

The which day William Andersone weiver is unlaid and amerciati in 5libs. Scots money being contumacious in refusing to depone as witness in ane Action persewed at the instance of Mungo Archibald in Stitchill against James Watson waulker at Stitchill Waulk Milne ther being no lawfull objection against him.

(78)
1696, May 9.

Ane uther Court of the Lands and Barronny of Stitchill holden within the Kirk therof be the Right Honourable Sir

John Pringle of Stitchhill Knight Barronnett Heretable Proprietor of the Lands and Barronny of Stitchhill, Queenscairne and Pertinents upon the 9th day of May 1696 yeares.

Curia legittime affirmata.

The which day the said Sir John Pringle sittand in judgment enacts statutes and ordaynes all such persons as gets money put into ther hands for making sufficient such houses as they enter to at the nixt term of Whitsunday 1696 yeares to bestow the money wholly upon the said houses betwixt and the Term of Mertimes next to come as they will be answerable at the sight of competent judges and workmen for that effect under the payne of 5lib. Scots money each person contraveiner of this pntt. Act by and attour the soumes requisit for making the house sufficient and for the more effectual putting of this in execution Appoynts William Lawrie with any two of the Bourlaemen he shall pitch on to be joyned with Thomas Underwood, Thomas Watts and Adam Richison workmen to take inspection of the saids houses and report ther diligence herein at the Head Court at Mertimes next And for that end ordayns ane Extract to be given therin containing a List of the houses and possessions comprehendit under the present Act.

Reparation of houses.

The which day Robert Hoggart eister in Stitchhill is Debt. judicially decerned to content and pay to Thomas Underwood wright ther the sowme of 10lib. 10sh. Scots money restand of 16libs. 10sh. money forsaid borrowed and received be the defender from the Complainer 2 years or therby *ex confessione rei*. 14sh. expenses.

The which day Elspeth Fairbairn spouse to John Robison maltman in Stitchhill and the said John for his interest ar judicially decerned to make payment to Alison Alexander servitrix to Patrick Miller in Maynrigg the soun of 6lib. Scots money for halfe a years fee wrought be the Complainer to the defender from Mertimes 1694 to Whitsunday 1695 last by past with 10sh. money forsaid as the pryce of an ell of Linnen: 6sh. money forsaid as the pryce of ane ell of harden with 8sh. as the pryce of a pair of hoze or an ell of plaiden In respect the said defender compeired personallie and confest the same 10sh. expenses.

Winter fee,
£6. and 10s. or
1 ell linen; 6s.
or 1 ell harden;
and 8s. or 1 pair
hose, or 1 ell
plaiden.

The which day the said Judge sittand in judgment anent

Cutting Whins. ane Complaint given in be Alexander Lowry in Queenscairne and the rest of the Tennents ther with the concurrence of the Procurator ffiscall of the said Court against the hail inhabitants of the Barronny of Stitchill makand mention That quher contrair to the Acts and Statutes of this Court ther are severall inhabitants within the Barronny of Stitchill in use to cutt whins upon the Complainers possession without either license or allowance to ther great prejudice and therfor humbly craved that they might not only be discharged to doe the lyke in tym comeing but also unlaid therfor As the said Complaint bears Which the Judge taking to his consideration dischairges all residenters in the Nethertown of Stitchill and utthers to cutt any whins in tym comeing upon the Complainers ground except these who hes a particular allowance for that effect under the penalty of twenty shillings Scots money *toties quoties* the halfe of the said penalty to be allowed to the apprehenders of the said persons Understanding heirby that non of the saids residenters ar hindered to cutt whins within their own possessions The said penalty to be decerned for at the Burlae Court at any tym at the instance of the said Complainer and execution to pass immediately upon the Sentence of the Burlae Court for that effect The other halfe of the penalty to be disposed upon the Bourlae Men as they shall think convenient.

(79)
1696, Dec. 5.

Ane Head Barron Court halden at Stitchill Kirke be the Right Honourable Sir John Pringle of Stitchill Knight Barronnett upon the 5 day of December 1696 years.

Curia legitime affirmata.

The which day the wholl tennants and cottars compeired personally and took Instruments upon their compeirance.

Green Lint.

The which day the saids Tennents and cottars within the Barronnie of Stitchill are unlaid and amerciat conform to the Acts of Parliament for contraveining the Acts of Parliament in laying in and steiping of Green Lint in Lochs, Burnes, and other Running Waters as also the hail weivers in keiping of insufficient weights and measures not tryed with the Standard jugg of the heid Brugh of the Shire In respect of ther own confessionnes.

Weights and
Measures.

The which day John Robeson maltman in Stitchhill and ^{Debt.} Elspeth ffairbairn his spous are judicially decerned to content and pay to Margrat Scott relict of the deceist William Lowrie in Stitchhill as executors and other ways haveing right from her said deceist husband the soume of Ane hundred and twelve pounds Scots money as the remainder of the pryce of Twenty ane Bolls Beare bought and receaved be the said defender from the Complainers deceist husband twa yeires since or therby conform to ane fitted Accompt between the Complainer and the Defender upon the 21 of October last. In respect the said defender compeired personallie and confest the forsaid sowm to be truly restand and the said persewar produced the said fitted accompt for instructing therof.

The which day John Richison son to Adam Richardson in ^{Teinding.} Stitchhill is unlaid and americiat in 10lib. Scots money for leading and away takeing of certain corns in tym of Teynding and not attending upon the Teynding but leading his own cornes contrair to the Acts of Court and to the great hindrance and prejudice of the teynding In respect the said Lybell was sufficiently instructed.

The qlk day Robert Waitt mason in Stitchhill is judicially ^{Debt.} decerned to make payment to Elspeth ffairbairn in Stitchhill and John Robeson her husband for his interest the sowme of 4lib. 17sh. Scots money compted betwixt the Complainer and defender upon the 4 day of December instant *ex confessione rei*.

The which day George Aitchison merchand in Stitchhill ^{Claim} is judicially decerned to make payment to George Hamiltoun in the Hill the sowm of 16lib. 7sh. Scots money restand of a greater sume which was deu by James Steinsone merchand in Kelso to the Complainer and for which the said defender became debtor and undertook to pay to the Complainer halfe a yeirs since or therby with 12sh. money forsaid as the pryce of ane Ennle sheitt¹ which the defender promised to get up to

¹ Enel-sheet ; literally an end-day sheet, a winding-sheet.

'Forbye a dainty enel-sheet,
Twa cods, whilk on the boustier meet,
An' slips anew to mak' complete
A beddin' o' the kin' O.'—WAT. WATSON.

The enel-sheet was a double sheet of fine linen which thrifty females selected

the Complainer from the said James Stevison and as yet never performed *ex confessione rei*.

(80)
1696, Dec. 12.

Ane uther Court of the Lands and Barronnie of Stitchill halden at the Kirk therof be the Right Honourable Sir John Pringle of Stitchill Knight Barronnnett heretable proprietor of the Lands and Barrounie therof upon the 12 day of the said moneth of December 1696 yeares.

Curia legitime affirmata.

Compulsory
Education.

The which day the said Sir John Pringle statutes and ordaynes and requires all persons and residents within the said Barronnie of Stitchill as are in a capacity That they putt their children to the public Schooll within the said Barronnie under the payne of Ten pounds Scots money each person contraveining of this Act for ilk failzie *toties quoties* efter they shall be required to doe the same allowing them from the daitt heiroy full six dayes that non may pretend ignorance and ordayns summar executioun to pas against the offenders and transgressors by poynding or otherways without necessity of taking Decreits thereupon And ratifyes all former Acts made anent the school.

Chapman.

The which day George Hammiltoune is judicially absolved and assoilzied from ane Lybell and claim persewed at the instance of George Aitchison chapman ther mentioning that wher the said defender in June last obleidged him to have procured from James Stevisone merchand in Kelso an Bond for the soute of 24libs. Scots money In favor of the Complainer wherof the defender postpones and deferres to doe the same. And the said defender compeired personally denyed the claim which was be the said persewar referred to his oath who depounid negative. In respect wherof the Judge assoilzied in manner forsaid.

1 year's Fee
£5. 10. etc.

The which day Mungo Archibald in Stitchill is judicially decerned to pay to William Crawfoord in Stitchill the soute

and carefully preserved in fold ready to be used as a covering for their dead body before it was put in the coffin. It was a special requisite of a bride's outfit, and decked her bed on the marriage night, after which it was carefully laid past to be used again only as her last earthly covering.—*Supp. Jamieson's Scot. Dict., Donaldson.*

of 5lib. 10sh. Scots money as ane years fee wrought be Margaret Crawford the Complainers daughter fra Whitsunday 1695 to Whitsunday 1696 with six quarters of Linning or 8sh. Scots as the modified pryce of the ell therof of bountith Reserving action for ane ell of harden if they can instruct the same *ex confessione rei*. The said persewar as having right from his daughter being instructed.

The which day Adam Haggart wright in Stitchill and James Steill taylzeour there are judicially unlaid and americiat each of them Ten pounds Scots money for abstracted Multures since Mertimes last as also reserving action to the miller against the defenders for multure and uther casualties dew to him to be persewed at the millers pleasure and lykewyse reservand to the defender all action for any just complaint they may have against the millers *ex confessione rei*. Abstracted
Multures £10.

The which day John Smith at Stitchill Parkend Margrat Scott relict of the deceist William Lawrie baillie in Stitchill James Lamb elder ther and John Donaldson ther are judicially decerned to make payment to Robert Gottrae indweller ther the soume of 32libs. Scots money advanced be the Complainer to the defenders for outreicking of ane souldier¹ for the paroch of Stitchill preceeding Whitsunday last ilk ane of them for ther own pairts with the interest of the said Principall Soume from the daitt of this Decreit In respect the defender Scott compeired personally and confest and the rest of the defenders being lawfully summoned oftymes callid and not compeirand wer halden as confest. Debt.

The which day Robert Liggaitt herd in Stitchill is judicially decerned to make payment to Adam Hoggart wright ther the soume of ane pound 10sh. Scots money of Principall as the pryce modified of ane full of peas eatten and destroyed be the defenders bestiall wherto he was herd by his neglect with 21sh. money forsaid as the modified pryce and worth of 3 stoucks of strae also eatten and destroyed be the defenders bestiall in A Full of peas
£1. 10.

3 Stoucks of
Straw 21s.

¹ This is now the reign of King William III. Those five persons had borrowed money from Robert Gottrae in order to pay their costs towards furnishing a soldier for Stitchell parish, which they were now ordered to pay, along with interest due.

harvest last In respect the said persewer compeired personallie and produced ane nott of . . . be Jon Donaldson and James Lamb and the said defenders own confessione.

(81)
1697, January 14.

Ane uther Barron Court halden at Stitchill Kirk be the Right Honourable Sir John Pringle of Stitchill Barronnett upon the 14 day of January 1697 yeares.

Curia legittime affirmata.

Act in favour of
the Waulker
£10 penalty.

The which day the said Sir John Pringle sittand in Judgment anent ane complaint given in be James Watson waulker at Stitchill Waulk Mylne which the Judge takeing to his consideratioun dischairges all persons within the Barronnie of Stitchill either men or women masters servants or children to agent for other waulkers in the country by doing ther indeavours for procuring work to them within the Barronnie of Stitchill in any manner of way directlie or indirectlie under the pain of 10lib. Scots money each person *toties quoties* who shall contraveine this Act.¹

Riot and
Sabbath pro-
fanation and
blood wyt £50.

The qlk day the said Judge sittand in judgment anent the Lybells persewed at the instance of Ritchard Gottrae and George Aitchison both indwellers in Stitchill *hinc inde* against others mentioning that wher they and ilk ane of them in ane inhumane and unchristian manner upon Sabbath was eight days being the sixth of January instant beatt and stryck each of them others in severall pairts of ther body to the effusion of ther bloods in great quantitie and particularly the said Ritchard Gottrae by blooding the Complainer Aitchison in his face by giving him blowes therupon with his hands and tether and ryving of his hair as the Lybell bears. Which being callid and the saids George Aitchison and Ritchard Gottrae both compeiring personallie The said Ritchard Gottrae confest he beatt the said George Aitchison and gripped him be the hair of his head and tare the same And the said George Aitchison confest that he beatt Gottrae and laid violent hands upon him as also confest that he said if Gottrae did not quitt

¹ The effect of this Act by the baron was to thirl the inhabitants of the Barony to the waulk-mill just as they were also thirled to the corn-mill.

with the tether he wold cutt it through with his knyfe and denyed the other expressions lybelled. Which Lybells and confessions of the fornamid pairties the Judge takeing to his consideratioun and finding be their own acknowledgements and confessions concurring with other unquestionable evidences and presumptions that they are guilty each of them of a Ryott and profanation of the Sabbath day blood and bloodwytt Therfor unlaes and amerciats the saids persons each of them in ffyfty pounds Scots money And remits to the Burlaemen to consider whether or not George Aitchisons horse was upon the uthers skaith And in that caice whether or nott Ritchard Gottrae could lawfullie take ane tether for a poynd and to determine according as they shall see causes in other points of neighbourhead By ordayning reparation of damage fyning or any other manner of way they shall find fitt.

The qlk day the Judge ordays both pairties to witt George Aitchison and Ritchard Gottrae to enact themselves to keip the publict peace under the payn of 100 merks that they abstain from anything that may be prejudiciall to others in ther bodies goods and possessions And that they shall not threaten others with injurious words and expressions under the said penalty of 100 merks the halfe to be applied to the use of the party damnified and ordays the officer to see this Act put into execution and ane Act to be extended therupon in ample form and both pairties to subscribe the said Act. 100 merks' caution.

The which day Robert Hammiltoune, John Watson, Adam Hoggart wright, James Service, Thomas Simm younger, John Younger and George Wilsone are added to the number of the Burlaemen formerly mentioned who gave their oath *de fidei administratione officiorum* and appoynts fyve to be a quorum of which Alexander Lowry always to make ane. Robert Hammiltoune, John Watstone, Adam Hoggart, James Service, John Younger, Thomas Simm declairs he cannot writt. New Burlaemen.

The which day Thomas Underwood wright in Stitchill is judicially decerned to content and pay to William Maisone in Neuton Mylne the soume of 18lib. Scots money as the remainder of the pryce of ane Boll and a halfe of Malte bought and receaved be the defender from the Complainer at Lambes last at 16lib. the Boll *ex confessione rei*. Malt £16 per Boll.

Ita est Gulielmus Pringle, Notarius Publicus ac praedict. curiae clericus testam. his meis signo et subscriptione manualibus.

(82)
1697, January 23.

Ane uther Barron Court holden at Stichill Kirk be the Right Honourable Sir John Pringle of Stichill Knight Barronnett heretable proprietor of the Lands and Barronnie therof upon the 23 January 1697 yeares.

Claim.

The which day Adam Hoggard in Stichill is judicially decerned to make payment to John Scougall servitor to Jon Brunton smith ther the soume of 18libs. Scots money borrowed and receaved be the said Defender from the said Complainer twa yeires since or therby In respect the said defender being lawfullie summoned ofttymes called and not compeirand was halden as confest wherfor the Judge decerned in manner for-said expenses 20sh.

Deforcing a
Sheriff Officer.

The which day the said Sir John Pringle sittand in judgment anent the Lybell persewed at the instance of George Taylzeour gardiner att Berwick and George Patterson Commissary Officer in Kelso with concurrence of the Procurator ffiscall against Agnes Lamb spous to Thomas Underwood wright in Stichill and the said Thomas for his interest and Marion Hogart and Joan Hill indweller ther Makand mention that wher upon the 22nd day of January instant the said Complainer with the said George Patterson Officer be virtue of ane Decreit obtained before the Commissar of Peibles against the said Thomas Underwood of the daitt the . . . day of j^mvi^c and nynty . . . yeares was offering to poynd the said Thomas Underwood his goods and gears and that for payment making to the said Complainer of the soumes of money both Principall and expenses therin contained and trew it is that the saids defenders and ilk ane of them did most masterfully deforce spuilzie and away take from the said George Patterson officer ane cow which was in his possessione and had poyndit the same and contrair to all Law and in high and in manifest contempt of all authoritie did most masterfully bereave the said cow from the Complainer. As also the said defender Agnes Lamb most furiously did gripp and ryve the said George Patterson his hair out of his head and threatened to ryve the heart

Recovering a
Cow.

Assault.

from the said Complainer rather then he had gotten a beast out of doors. And therfor cravid that the saids defenders and ilk ane of them might be unlaid and amerciat conforme to the Acts of Parliament and . . lastly punished in ther bodies and goods to the terror of others to committ the like. Which being callid and the said persewers and defenders both compeirand personallie the judge having taken to consideration the forsaid lyble with ane uther Lyble persewed at the instance of the said Agnes Lamb against the said George Taylzeor by beatting her throwing her to the ground and tramping upon her And having examined severall witnesses on both sydes for proving therof the cryme contained in the saids Lybles ffinds only proven by the saids Depositions that there was a Strangling betwixt the said George Taylzeour and Agnes Lamb with which she fell to the ground And finds sufficiently proven and instructed by the saids Depositions that the said Agnes Lamb did impeded the officer in doing of his diligence and stop him from dryving his poynd. Upon all the Judge efter mature deliberatioun assoilzies and absolves the said George Taylzeour from the Ryott lybelled against him In respect the said Agnes Lamb did violently attempt the deforceing of the Officer and that it may be justlye and lawfullie constructed the other did not lay maliciouslie violent hands on her but that his strangling with her and throwing of her as is proven was only with intent to impeded her in her said designe of the deforceing the Officer. The Judge takeing to consideratioun the latter part of the lyble finds not proven and therfor assoilzies the defender Lamb therfor.

The Judge upon the haill premises interprets the tumultuous meiting of the rest of the women contanid in the Lyble to have . . . a design to deforce the Officer and amerciat each of them in 10sh. Scots as lyking . . . the said Agnes Lamb whose attempt upon that accompt was sufficiently instructed from her own confession and deposition of the witnesses in 10libs Scots.

Deforcing, 10s.
and 10.

Ane uther Court of the Lands and Barronny of Stitchill holden at the Kirk therof be the Right Honourable Sir John Pringle of Stitchill Knight Barronnett Heretable Proprietor

(83)
1697, May 1.

of the Lands and Barronny therof upon the 1st day of May 1697 years.

Curia legittime affirmata.

Rent of cot 30s.
3 Kayn hens 5s.
each. Spinning
16d. per day.

The which day Petter Purvess in Stitchill and Margaret Marshall his spouse and Jean Purvess his daughter ar judicially decerned to make payment to Thomas Linnen ther the souns of money following, viz,—The soun of 30sh. Scots money as the rent of ane Coat house thrie Kayn Hens or fyve shillings as the pryce of each of them with 16d. money forsaid for each day of 5 days spyning.

Debts.

The which day Adam and Andro Haggarts in Stitchill are judicially decerned to make payment to John Younger miller at Stitchill Miln the souns of money following ilk ane for ther own pairts as is efter divydit To witt the said Adam Haggart the soun of 14lib. 6sh. Scots money pairtly of borrowed money and pairtly as the pryce of certain meall bought and receaved halfe a year since or therby The said Andro Haggart 22libs. 10sh. pairtly as the remainder of the pryce of certain sheip and pairtly for oats and oatmeall bought and receaved be the said defender from the Complainer within this two years or therby *ex confessione rei*.

Yule.

The which day Adam Haggart in Stitchill is judicially decerned to make payment to Andro Giffen ther the souns of money following for the causes efter specified viz,—11lib. 10sh. Scots money of borrowed money at Yeuill last with severall other articles of the Lyble extending to 23lib. 7sh. 6d. Scots money efter compts betwixt them was adjusted being referred to thrie honest men to hear the saids pairties compts and reckon who gave in their reports in manner forsaid.

Mare £22.

The which day Ritchard Gotrae in Stitchill is judicially decerned to accept and receive from Thomas Yeaman coupper ther ane Meir sold to the defender be the Persewer upon Wednesday last and to pay to the Complainer 22libs. money forsaid as the agreyed worth and pryce therof upon receipt of the said Meare.

Debt.

The which day Robert Hoggart in Stitchill is judicially decerned to make payment to George Hammilton ther the soun of 12lib. 9sh. Scots money as the agreyed pryce and worth of certain oatts bought and receaved be the defender

from the Complainer ane year since or therby *ex confessione rei*.

The qlk day Andro Marshall in Stitchill is judicially ^{Riot £10.} decerned to make payment to the Procurator ffiscall the soume of 10libs. Scots money as ane fyne and amerciament imposed upon him for ane Ryott committed be him upon Jon Russell servitor to William Maison in Neuton Lees upon Monday wes eight days *ex confessione rei*.

The which day Adam Hammiltoun weiver in Stitchill and ^{1 peck meal 30s.} William Taylor there are decerned and ordained to content and pay to Adam Richardson ther the soumes of money following ilk ane of them for his own pairts as is efter divydit. To witt the said Adam Hammiltoun the soun of 30sh. Scots money as the pryce and worth of ane peik of oatmeall bought and receaved be the said defender from the Complainer halfe a yeir since or therby the said William Taylor 40sh. Scots money forsaid borrowed and receaved be him from the Complainer at Trinity Monday last. In respect the saids defenders being lawfullie summoned ofttymes callid and not compeirand wes halden as confest.

The which day David Brown sklaitter in Stitchill is judicially ^{Wool £8 per stone.} decerned to make payment to John Sinclair in Haryheuch the soume of foure pounds Scots money as the pryce and worth of halfe ane stain of wooll bought and receaved be the defender from the Complainer with ane cheise, two years since or therby In respect the said defender compeired and confest the said soun to be justlie resting.

Ita est Gulielmus Pringle, Notarius Publicus ac praedict. Curiae clericus.

Ane Head Barron Court holden at Stitchill Kirk be the Right Honourable Sir John Pringle of Stitchill Barronnett <sup>(84)
1697, Nov. 13.</sup> Heretable Proprietor of the Lands and Barronny thereof upon the 13 day of November 1697 years.

Curia legitime affirmata.

The which day John Donaldson in Stitchill is judicially <sup>1 peck beans
26s. 1 peck peas
24s. 3½ capfuls
lintseed 26s.
50 kaill plants
4s.</sup> decerned to make payment to Joan Trotter relict of the deceist John Burn in Ednim the souns of money efter specified for the causes following To witt threttein shilling Scots

money as the pryce of half a peck of beans item twentyfour shillings money forsaide as the pryce of ane peck of peas item twentysix shillings money forsaide as the pryce of thrie capfuls and a half of lint-seid, item four shilling money forsaide as the pryce of half ane hunder bou kaill plants all sawen be the Complainer upon the defenders yaird which with ane hous was sett be the said defender to the persewer from Whitsunday 1697 to Whitsunday 1698 which the said Complainer was frustratt of and did not attain to the possession of the same. In respect the said defender compeired personallie and confest the said yaird to be sawen with the Complainers seid and also the pryce therof forsaid. Wherfor the Judge decerned and ordained in manner forsaid.

3 ells linen 10s.
per ell. 3 ells
harden 5s. per
ell.

The which day Robert Waitt in Stitchill is judicially decerned to make payment to Archibald ffairbairn miller at Ednim and Margaret ffairbairn his daughter the soun of ten shillings Scots money as the agryed pryce of thre ilk ells of Linning and fyve shillings money forsaide for each ell of thrie ells of harden of bountith cloath for thre halfe years service wrought be the said Margaret to the defender four years since or therby In respect the said defender being lawfully summoned ofttymes callid and not compeirand was halden as confest.

Carrier to Edin.
via Dalkeith.

The which day the said Sir John Pringle Barronnet sittand in judgment hes decerned and ordayned and decerns and ordayns Adam Hoggart caryer in Stitchill to content and pay to James Hoggard in Maynrigg the soun of 24 shillings Scots money pairtly for the remainder of ane cariadge from Stitchill to Dalkeith in Summer last and pairtly for a thrave of oatt strae bought and received be the defender from the Complainer in Winter last In respect the said defender being lawfully summoned ofttymes callid and not compeiring was halden as confest.

One Quarter
linen 3s.

The which day Issobell Hoggart servitor to James Lamb in Runningburne is judicially decerned to make payment to John Underwood in Stitchill 18sh. Scots money as the pryce of six quarters of Linning bought and received be the said defender from the Complainer three yeares since or therby. In respect of absence the defender being lawfully cited to have compeired this day and plais, was holden as confest.

The which day the said Judge statutes inacts and ordaynes Alexander Lowrie, John Donaldson, Robert Hammiltone, James Service, and George Wilson to meitt together at any tyme and form some overtures amongst themselves for furnishing the coatt-houses most conveniently with divotts and ordaynes them to present the saids overtures again the nixt Court day Allow- ing any residenters within the Barronnie of Stitchill to waitt upon the meetings of the saids persons and give in what proposals theranent as they shall think fitt.

Furnishing cot-
houses with
divotts.

As also the said day it is statute ordayned and declared that the pryce of teilling halfe a quarter of land in the Maynes to be 8lib. Scots money conform to use and wont as lykewyse the teilling of halfe a fourth aiker to be 5lib. money forsaid Declairing that payment for the said work be not maid betwixt Mertimes and Candlemes The persons hyring their ploughs may have liberty to stop or take any just method competent for ther satisfacione and this but prejudice for the pairties to aggree on what days they please betwixt the saids terms.

Tilling.

Lykewyse it is statute and ordayned and declaired that whatever portioner in the Mayns shall be convicted of having lifted corne off ther neighbours rigg either by mistake or other ways shall be lyable for whatsoever corns ar missing through the wholl Maynes The persons persewing giving sufficient evidence either by oath or otherways of the corns that ar awanting and this Act to stand in force in all tyme comeing.

Lifting Corn.

The Courts of the Lands and Barronny of Stitchill halden at the Kirk therof be the Right Honourable Sir John Pringle of Stitchill Barronnett heretable proprietor of the Lands and Barronny therof upon the 22 day of January 1698 years.

(85)
1698, January 22.

Curia legitime affirmata.

The qlk day George Hamilton in the Hill is judicially decerned to make payment to Andrew Walker in Kaimflatt the soume of 22lib. 7sh. Scots money as the remainder of the pryce of 3 bolls and ane full of oatts at 10lib. 9sh. Scots money per boll bought and receaved be the defender from the Com- plainner at Candlemes last bypast. In respect the said defender compeired personallie and confest the forsaid soum to be justly

1 Boll Oats
£10. 9.

resting owing Reserving actione to the persewar against Andro Giffan weiver in Stitchill alledged cautioner for the defender. The Principall not paying or not being solvends And lykewyse allowing the Cautioner to retain in his own handes his security against the Principall till the persewar be satisfied for the Decreit lybelled with 24sh. money forsaid of expenses of play extracted.

Debt. The which day William Thomsone weiver in Stitchill is judicially decerned to make payment to Margarat Scott relict of the Deceist William Lowrie in Stitchill the soume of 5lib. 4sh. Scots money restand of 11lib. 8sh. money forsaid borrowed and receaved be the defender from the Complainers deceist husband in Summar bygone a year wherto the said Complainer hes good and undoubted right In respect the said defender being lawfullie summoned ofttymes callid and not compeired was holden as confest with 12sh. money forsaid of expenses of play extracted.

Cow. The which day Robert Hoggart in Stitchill is judicially decerned to make payment to Alexander Heislope wright in Stitchill and Adam Chairteris there equally betwixt them the sowms of money following for the causes efter specified viz,—
 Cow. The soum of 10 pounds six shillings Scots money as the remainder of the pryce of a cow bought and receaved be the defender from the Complainer at Mertimes last bypast. Item,
 Awmry. Twenty eight shillings money forsaid as the remainder of the pryce of ane almery bought and receaved be the defender from the Complainer Alexander Hyslope four years since or therby
 In respect the said defender compeired personallie and confest the forsaid sowms to be justly resting owing with sixteen shillings money forsaid of expenses.

Deforcement
 £5. The which day Adam Hoggard in Stitchill meilmaker is judicially decerned to make payment to the Procurator ffiscall the soume of fyve pounds Scots money as ane fyne imposed upon him for deforceing the Officer in execution of his office when he was poynding the defender at the instance of James Hoggart in Maynrigg be vertue of a Decreitt obtaind at his instance against said Adam Hoggard and violently be-reaved from the said Officer ane pott which he had poyndit.
Ex confessione.

Ane Court of the Lands and Barronny of Stitchill halden at Stitchill Kirk be the right honourable Sir John Pringle of ⁽⁸⁶⁾ 1698, May 28. Stitchill Barronnett Heretable Proprietor of the Lands and Barronnie therof upon the 28th of May 1698 yeires.

The which day Ritchard Gottrae wright in Stitchill, Beatrix Trotter in Queenscaine relict of the deceast Robert Hopper in Stitchill ar judicially decerned to make payment to John Younger at Stitchill milne the sowms of money following ilk ane of them for ther own pairts as is efter divydit To witt the said Ritchard Gottrae the soun of 24sh. Scots money as the pryce of ane seck borrowed and receaved be the said defender ^{1 Sack 24s.} from the said Complainer ane certain tym bygaine and never redelyvered Item the said Beatrix Trotter and John Hopper her sone conjunctly and equally the soume of 5lib. 5sh. money forsaid as the pryce of halfe a boll of peas bought and receaved be the said defunct from the Complainer in March bygon a ^{1 Boll peas} year In respect the said Richard Gottrae confest. And the said ^{£10. 10.} Trotter and Hopper being lawfullie summoned oft tymes called and not compeiring was holden as confest. And the said Robert Hoggart 12libs. money forsaid for certain oatt meall bought and receaved be him from the Complainer at Mertimes last *ex confessione rei*.

The which day the said Ritchard Gottrae and Robert Giffane in Stitchill are judicially decerned to make payment to William Johnstoun tennant in Overmayns the soun of 93lib. 12sh. Scots money equally betwixt them as the aggryd pryce of certain bolls of oatts bought and receaved be him from the Complainer in winter last at 7lib. 4sh. per Boll In respect they both compeired and confest the same but denyed ane conjunct bargain which was be the defender deferred to the per-sewars oath who refused to depone wherfor they wer assoilzied from the said conjunct bargain.

The which day James Lamb younger in Stitchill is judicially decerned *ex consensu* to make payment to Robert Lidgaitt ther the soume of 13lib. Scots money as ane harvest fie ^{Harvest Fee} wrought be the Complainer and his spous to the defender in ^{£13.} harvest last Item 5lib. money forsaid for halfe a yeires fie ^{Half year's fee} wrought be the Complainers sone Robert Lidgaitt to the said ^{lad £5.} defender 2 yeires since or therby.

The which day John Younger milner is decerned to pay to John Gillespy in Maynrigg the soun of 24sh. Scots money as the pryce of ane seck intromitted with be the said defender pertaining to the Complainer which seck was lying at the Myln allowing the said defender his relief from Ritchard Gottrae who receaved the said seck from him *ex confessione rei*.

Debt.

The which day John Adam, Ritchard Taylor, in Queens-cairne is judicially decerned to make payment to John Adam James and Hellen Hendersons lawfull children to the deceist Adam Henderson in Nether Stitchill the soume of 34libs. 12sh. Scots money in full satisfaction to the Complainers and Alexander Alexander spous to the said Hellen for his interest of the Principall soun of 44libs. money forsaide and of the annual rents therof preceeding from Whitsunday last bypast 1698 and of the termly penulties therin contained in ane Bond granted be the said defender Richard to the said defunct of the daitt the 1st day of December 1693 yeares. *Ex confessione*.

The which day Robert Hoggart in Stitchill and John Robison ther ar decerned to make payment to Thomas Sklaitter at Newton mylne the soums of money following viz. the said Robert Hoggart the soume of 20sh. Scots money as the remainder of the pryce of a cow bought and receaved be the defender from the Complainer 4 years since *ex confessione rei*.

Oatmeal 25s.
per peck.

The said John Robison is decerned for 25sh. money forsaide as the pryce of a peck of oatmeall bought and receaved be the defender from the Complainer in Harvest last Being lawfully summoned ofttymes callid and not compeiring was holden as confest.

Four Bolls
Oats £39. 4.

The which day the said Sir John Pringle sittand in judgment hes decerned and ordayned Robert Hoggard in Stitchill and Agnes Hoggart his spous to make payment to Jannett Inglis in Lochtoun¹ the soume of 29libs. 4d. Scots money

¹ This was the estate of the brother of the baron, Sir Walter of Lochtoun. He was admitted an advocate 10th December 1687; constituted a Lord of Session, as Lord Newhall, 6th June 1718; at the same time appointed a Lord of Justiciary and knighted. He died 14th December 1736. Hamilton of Bangour composed an epitaph on Lord Newhall.

only resting of 39lib. 4sh. money forsaied as the aggryed pryce of 4 bolls of oatts bought and receaved be the defender from the complainer ane year since *ex confessione rei*.

The which day John Smith in Stitchill for ane Ryott committed be him upon Ritchard Gottrae in the face of the Bourlae Court is unlaied and amerciati in 10libs. Scots money the cryme being aggravated by the aforesaid circumstance by beating the said Richard upon his face in the said oppen Bourlae Court *ex confessione rei*. Riot and Contempt of Court
£10.

The which day George Ridpeith servitor to John Bruntoun smith in Stitchill anent the claime persewed at his instance against Patrick Millar in Sweithope the said Patrick is decerned *ex confessione* to make payment to the said George Redpeith 48sh. Scots money as the pryce of a full of beare of bountith for a harvest fie wrought in harvest last. 1 full of Bear
as bountith.

The which day James Mather in Stitchill is decerned to pay to Robert Giffane ther the soume of 43sh. Scots money as the remaynder of a grass maill in Summer last *ex confessione* and assoilzies fra the rest of the soume lybelled. Grass-maill.

The said day Richard Gottrae is decerned to pay to James Donaldson in Ednim 11lib. 9sh. 6d. Scots money as the remaynder of the pryce of certain oatts bought and receaved at Yeuill last *ex confessione rei*. Yule.

The which day in the Actioun and Cause persewed be Mr. William Wilson schoolmaster of Stitchill against Robert Giffan ther, anent a peice of ground in a pairt of the Mayns formerly possesst be James Lamb debaittable betwixt the said Mr. William and the said Robert Giffane the Judge refers to the Burlaemen to consider more fully and determine therin and to make report nixt Court day. Schoolmaster.

The which day Sir John Pringle of Stitchill Barronnett sittand in judgment dischairges all residenters within the Barronny of Stitchill here efter to resett harbour intertain or give almes any manner of way to any poor people whatsoever that goe from place to place for charity except these allenerly that shall be listed as poor within the Barronny of Stitchill by the Heretor and Elders at their meitting conforme to the many Acts of Parliament and Counsell for that effect under the payn of ten pounds Scots money for every tyme that it Act anent
Beggars.
£10 penalty.

shall be discovered the saids Residenters have entertained or given almes to any poor but such as ar properly to be alimanted by the paroich and ordayns all within the Barronnie of Stitchill to give ther assistance to ane another for expelling such poor people and bringing them to condigne punishment when they shall be apprehendit giving occasion of creating any trouble or disorder within the paroich upon ther refusing of almes. Declairing that such as refuse ther assistance to ther neighbours in this manner shall be lyable in the certificatioun forsaid and lykewyse declairing that in both caices the Informer against the contraveiner of this Act shall have the one halfe of the said penalty and ordayns this pntt. Act to be put to dew and lawfull executioun with all rigor.¹

1 year's grass
= 1 load of
coal from Eng-
land.

As also the said day the said Judge statutes and ordayns all Coatters and other residenters within this Barronnie of Stitchill to pay for every horse they gras upon the Hall-hill a load of coalls from England when they shall be required to bring in the same with certification And lykewyse ordayns such persons as gras upon the said hill in Summar 1697 to bring in a load of coalls for that year's gras and in all tyme comeing so long as they take the benefit of the said gras whenever they shall be required to perform the same under the certification forsaid and heirby expressly dischairges the other residenters to put any beasts upon the said hill at any tym of the year whatsoever But declairs it shall be reserved allenerly for the use of such of the coatters that have a mynd to grass ther horse thereon In which the great Tennents ar no ways comprehendit who ar to have no benefits of the same any manner of way and this Act to stand in force in all tym comeing.

Great tenants
excepted.

(27)
1698, Nov. 5.

Ane Head Barron Court halden at Stitchill Kirk be the Right Honourable Sir John Pringle of Stitchill Barronnett Heretable Proprietor of the Lands and Barronny therof upon the fifth day of November 1698.

The which day compeired the wholl Tennents and coatters

¹ This act anent the poor would not include such privileged beggars as Edie Ochiltree the Bluegown, who travelled this district.

within the said Barronny and took Instruments upon ther compeirance.

The qlk day Thomas Underwood wright in Stitchill is ^{6 fulls malt} ^{£14. 14.} ^{1 Boll} ^{£9. 16.} judicially decerned to make payment to Patrick Miller in Dunse the soum of 14lib. 14sh. Scots money as the pryce of 6 fulls of malt bought and received be the Defender from the Complainer at Pasche last at 9lib. 16sh. the boll In respect the said defender compeired personallie and confest the same wherfor the Judge decerned in manner forsaid.

The which day Ritchard Taylor in Queenscairn is ^{Debt.} judicially decerned to make payment to Jannett Lamb in Stitchill the soum of Ten pounds Scots money borrowed and received be the said defender from Robert Hammiltoun the Complainers husband fourteen years since or therby In respect the said defender being lawfullie summond oft tymes called and not compeiring was halden as confest with 16sh. of expenses of pley.

The which day John Robeson in Stitchill is judicially decerned to make payment to George Wilson Maltman ther the soum of 11lib. 5sh. Scots money as the remainder of the pryce of certain malt bought and received from the Complainer a year since or therby. In respect the said defender compeired personally and confest the same with 16sh. money forsaid for expenses of pley.

The which day James Mather in Stitchill is ^{6 fulls Oats} ^{£11. 3. 2.} judicially decerned to content and pay to George Dickson in Kenlaes 11lib. 3sh. 2d. Scots money as the aggryed pryce of 6 fulls of oats bought and received be the defender from the Complainer a year bygone at oatt-seid-tym last In respect of the Defenders confession with 16sh. of expenses.

The which day the said Sir John Pringle sittand in judgment hes decerned and ordayned Thomas Galbreath in Stitchill and Margaret Thomsone his spouse to content and pay to Thomas Henderson tailzeour in Stitchill tutor nominal to the deceist Adam Henderson and Hellen Thomsone ther children the soum of 14libs. Scots money as the agreed pryce ^{Cow} ^{£14.} and worth of a cow bought and received be the said Margaret Thomsone for herselfe and in name of her husband from the said complainer Alexander Alexander in Stitchill in name of

the said pupills at Candlemes bygone a year in respect of the defenders confessione Reserving action for the interest of the money and allowing the complainer to cite the said Thomas Galbreaths wyfe the nixt Court day.

The which day John Hopper servant to Margrat Scott in Stitchill and William Thomsone weiver ther is judicially decerned to make payment to Thomas Henderson in ffairnirigg the souns of money following ilk ane of them for ther own pairts as is efter divydit viz., The said John Hopper the soun of 47libs. 12sh. Scots money as the agryed pryce and worth of 7 bolls of oatts bought and received be the said defender from the complainer at Yeull last. Item, 30sh. money forsaide as the remainder of the pryce of a boll of oatts bought and received be the said defender his deceast father ane year since Item 50sh. money forsaide as the remainder of 5 bolls of oatts bought and received be him fra the complainer a year since. The said William Thomsone 5lib. 17sh. money forsaide as the remainder of twa bolls of oatts bought and received be him fra the complainer at Harvest bygain a year In respect the said defenders being lawfully summoned ofttymes called and not compeired was holden as confest Allowing to the defender Thomsone action against Robert Hoggart for any pairt of the said oatts that the said Robert Hoggart got conform to the defense given in be said defenders wyfe.

The which day David Brown in Stitchill is judicially decerned to make payment to George Aitchison merchant in Stitchill 59sh. 6d. Scots money for certain merchandise goods bought and received be the defender from the complainer two years since.

As also is decerned to make payment to Margrat Wood relict of the deceast William Mitchell in Neutoun 45sh. money forsaide for aill furnished be the complainer thrie years since In absence he being lawfully citted.

Act dischairging all Residenters within the Barronny of Stitchill to furnish any other Waulker in the country with master. And to reserve it for the Waulker in Stitchill allenarly Upon condition always that the said waulker in Stitchill shall give such qualificatiouns that ar usually given by the waulkers.

7 bolls oats
£47. 12.

Yule.

Ale.

Act in favour of
the Waulker.

Item, the saids residenters within the Barronny of Stitchill are dischaiged to cary ther work to anyother Mylne but to Stichill Wakemiln to which they are heirby expressly thirled during the tym of ther residence in Stichill under the payne of 5 pounds Scots for each failzie. Declairing always that if any of the said persons have ground of complaint for insufficient work either Litting or waking or for ther wakers detayning ther cloath longer than the dew reasonable tym the waker shall be obleidged to repair the complainer in all damage that they have therby suffered And lykewyse shall be fynned in the soun of 5lib. Scots for each failzie the one halfe to be given to the complainer besyd his reparatioun of damage forsaid.

Thirled. £5
penalty.

Lykewyse declairing that if it can be sufficiently instructed by any of the saids persons that the waker refused ther work at reasonable pryce which is heirby declared to be the ordinar pryce of other workmen in the country they shall have liberty to imply uther and cary the work to uther mylnes.

The walker is ordayned to go through the Paroich and cary away the cloath and bring it back again.

The qlk day the following Acts and Statutes made by the Buraemen of Stichill for the better regulating the affairs of the Barronnie ar heirby ratified and approven be the said Judge and Barron and ordayned to take effect and be put in execution in all tyme comeing.

Acts for regulat-
ing some affairs
of the Barony.

1st. That no Residenter within the Paroich of Stichill als weill thos that possess land or such as ar only cottars or sub-cottars be sein within the Maynes ground or fourth aiker in harvest tyme or leeding tyme before the Maynes herd goes out in the morning with the catell to ther pasture Nor efter the said herd returns at night from the pasture with the cattle under certificatione the contraveiners of this Act shall be fynned in one pound Scots and that rigorously exacted.

Trespass in
the Mayns £1.

2nd. That whosoever lifts any of his neighbours cornes within the ground of the Maynes or fourt aiker through mistake or other ways shall be lyable for the wholl loss in the saids grounds to the Complainers they instructing ther loss by oath or any other sufficient document by and attour the certification of the person that shall lift the corn through mistake shall restore thriefold or if they shall lift it by theft and can

Lifting corn.

Stocks.

be proven they shall restor thriefold and lye in the Stocks 24 hours.

Dyke-breaking
125.

3rd. That the Dyck that is at the eist end of Thomas Hoggarts yaird be built up by Thomas Hoggart at his own expense (by reason his ground lies nierest the said dyck) and if any shall be found to break down the dyke hereafter he is to pay 12sh. Scots. The one halfe is to be payed to the Complainer or any that shall suffer prejudice therby and the other halfe to be disposed upon at the Burlaemens pleasure attested by ther subscriptions *sic subscribitur* John Younger, John Brunton, John Donaldsone.

Ita esse attestor ego Gulielmus Pringle Notarius Publicus praedict. curiae clericus testam. his meis signo et subscriptione manualibus.

(88)
1699, May 13.

The Court of the Lands and Barronnie of Stitchill holden at the Kirke therof be the Right Honourable Sir John Pringle Barronnett upon the thretten day of May 1699 years.

Curia legitime affirmata.

1 full Meall
£3. 8.

The which day the said Sir John Pringle sittand in judgment hes decerned and ordayned and decerns and ordayns John Robison maltman in Stitchill to content and pay to John Younger miller at Stithell mylne the soume of money following for the causes efter specifed To witt 3lib. 8sh. Scots money as the aggyred pryce of ane full of meall bought and receaved be the defender from the complainer in July last. Item 32sh. money forsaid resting of the pryce of 5 capfulls of oatmeall at 36sh. the peck bought and receaved ane year since *ex confessione rei* with 14sh. of expenses.

1 peck 36s.

Debts.

The which day Ritchard Taylor in Queenscairn is judicially decerned to make payment to Alexander Hyslop wright in Stitchill the soumes of money following for the causes efter specifed viz., the soume of 4lib. 10sh. Scots money wherof 3lib. as the remainder of ane harvest fie wrought be the said defender to the complainer 7 years since Item 30sh. therof as the remainder of the pryce of halfe a boll of oatts bought and receaved at the tyme forsaid by the defender from the Complainer *ex confessione rei*.

Carrier.

The which day Robert Giffane caryer in Stitchill is judici-

ally decerned to make payment to Mungo Archibald in Stitchill and Jean Wilson his spouse the soun of 15lib. 16sh. 10d. Scots money restand of the pryce of certain oatmeall bought and receaved be the said defender from the complainer at Candlemes last at 30sh. the peck In respect the said defender compeired personally and confest the same and alyk decernes for 20sh. of expenses of pley.

The which day Robert Giffan caryer in Stitchell is judicially decerned to make payment to George Hammiltoun in the Hill of the soume of 9lib. Scots. money as ane harvest fie wrought be the said complainer and his spous to Patrick Millar in Sueitup in harvest last and which soume the said complainer accepted of the said defender as debiter who promised payment and entered in payment therof. *Ex confessione rei.* Harvest fee for two £9.

The which day William Cuthbertson weiver in Stitchill is judicially decerned to make payment to Agnes Lee spouse to Alexander Marshall in Home the 7lib. 5sh. Scots money as the ballance of a compt betwixt them In respect of the Persewar and the defender compeired personallie and the said defender denyed the claime which the Persewar referred to his oath at leist the said defender proposed ane exception of compensation which exception the said defender for proving therof referred the same to the persewars oath who deferred the samyn to the defenders oath who being solemnly sworne upon his oath acknowledged the soums lybelled but alledged the samyn ought to be compensated with his werk having wrought to the Persewar Therfor twa elle of cloath at ane sh. Scots the ell and that ther is a capfull of Beare meall or 6sh. for the pryce of bountith yet restand which alledgeances and depositions of the defender being considered by the said Judge And he being weill and regularly advysed therupon Decerned and ordayned in manner forsaid The said defender being therby payed of threscore twa ells of cloath weiving with 14sh. of expenses of pley. Claim.

The which day Ritchard Gottrae in Stitchill is unlaured and americiat in 50lib. Scots money for ane Blood committed be him upon John Wilson in Stitchill in Aprylle last ordayning the defender to pay to the said John Wilson pairtly offered 30sh. Scots money therof and decerns the said defender Blood £50.

Gottrae to pay to the Procurator ffsicall of the said Court the remaynder therof and assoilzied Wilson from the Lyble at the ffsicalls instance against him In respect of his oath.

(89)
1699, Nov. 11.

Ane Head Court holden at Stitchill Kirk be the Right Honourable Sir John Pringle of Stitchill Knight Barronnett Heretable Proprietor of the Lands and Barronny therof upon the 11th day of November 1699 years.

Curia legittime affirmata.

The which day the hail Tennents and cottars compeired all personally and took Instruments upon ther compeirance.

Hume.

The which day James Haggart in Maynrigg is judicially decerned to content and pay to Bessie Swanstone in Home the soume of 40sh. Scots money which was adebted be Agnes Sounnis servant to the said Defender and wherof the Defender promised payment to the Complainer as having right therto and entered in payment therof In respect the said Defender compeired personally and confest the same.

Debt.

The qlk day Thomas Underwood wright in Stitchill is judicially decerned to make payment to John Hutson merchant in Kelso the soume of 3lib. 6sh. 8d. Scots money contained in a Ticket granted be the said Defender to the Complainer daited the 19 day of July 1698 years In respect ane day being given to the Defender to give in his defences In respect he was not personally citted with certification if he failzied to prove in dew form against him and Extract Decreit which day being elapsed and the Defender not giving in his Defences was holden as confest and the Terme circumduced against him.

The which day William Thomson weiver in Stitchill is judicially decerned to make payment to William Alexander the soume of 33sh. 4d. Scots money as the ballance of ane Compt dew be the Defender to the Complainer *Ex confessione rei*.

(90)
1699, Dec. 2.

Act ratifying the Act anent the Poor in the hail heads therof daited the 28 May 1698. December 2 1699.

Act anent the
Poor.

The which day the said Sir John Pringle of Stitchill Barronnett sittand in judgment hes inacted and farther inacts statutes and ordayns that no Residenter within the Barronie of Stitchill receave into the Coatthouses such persons either

single or by families who are incapable of subsisting by themselves or have subsisted by charity in other paroches either in wholl or in pairt Declairing that from the daitt of this present Act any of the Residenters above mentioned who sett their houses to such persons shall have the wholl burden upon them mentayning the saids persons and that they shall be obleidged to releave all ther neghbours within the said Barronny of all burden and charge upon that accompt. Declairing nevertheless that this Act sall not be extendit to such persons to whom houses have been sett when they were in a condition of subsysting by themselves and have accordingly subsysted without being a charge to others for sume considerable tyme from the tyme of ther Entry but efterwards have fallen poor through age or infirmity or unforeseen accidents who therfor upon that accompt may justlie expect the compassion and charity of ther neghbours as residenters within the Barronny lykewyse commanding and requiring the said Residenters to remove all persons from ther Coatt houses betwixt and the 10th day of this month who have been receaved since Lambes last and who have no visible imployment and are known to be accustomed in vaiging and begging up and down the country And lykewyse requiring and commanding the said residenters to remove from ther houses betwixt the daitt of this Act and Whitsunday nixt all such persons who are not in a condition to subsist without the help of the neghbours who have not been thrie years residenters within the said Barronny for the Term of Whitsunday last backward conform to the Act of Parliament and Counsell made theranent Commanding and requiring all residing within the said Barronny to give exact obedience to the said Act and haill heads therof under the payn and certificatione contained in the same Act so often as they shall be found to contraveine the same.

Ita est Gulielmus Pringle Notarius Publicus ac praedict. Curiae Clericus testam. his meis signo et subscriptione manualibus.

The Court of the Lands and Barronny of Stitchill halden at the Kirk therof be the Right Honourable Sir John Pringle of Stitchill Barronnett upon the 20 day of Aprylle 1700 years.

Curia legitime affirmata.

(91)
1700, April 20.

Claim for loss.

The qlk day Adam Chairteris and Alexander Hyslope indwellers in Stitchill are judicially decerned to make payment to Andro Hoggart caryer ther the soume of 7lib. 3sh. and 8d. Scots money wherein the said Persewer was damnified by the defenders their being deficient in not making up ane certain quantity of beare sold be the said Persewer to Andro Peirie in Prestounpans at Mertimes last by the said Defenders order and commission and not carying it in dew tyme In respect the said defenders compeired and denyed the condition lybelled which was referred be the said Persewer to ther oath of verity simpliciter who deferred the samyn to the persewers oath And the said Persewer compeiring personallie being solemnly sworne upon his oath deponnid affirmative that the said defenders did condition to him to make up ther proportion of the Beare lybelled and to cary the same in dew tyme And lykewyse deponnid that there being deficient and not carying it in dew tyme the deponent was loser in 8lib. Scots which was detayned be the said Andro Peiry to whom he sold the said Beare with ane certain quantity of the said Persewers own beare off the forend of the pryce therof And lykewyse deponnid that he was adebted to the said merchant 7 pints of aill at 2sh. 4d. the pynt and therfor by his said oath restricted his claime to 7libs. 3sh. 8d. money forsaid In respect wherof the Judge decerned in manner forsaid.

Harvest fee
£4. 15.

The which day John Wilson in Stitchill is judicially decerned to make payment to Henry Hammilton in Queenscairn and Jennett Mill his spouse of the soume of 4lib. 15sh. Scots money as ane harvest fie wrought be the said Jennett Mill to the said Defender in Harvest last In respect the said defender compeired personally and confest the same.

$\frac{1}{2}$ stack peats
£3. 14.

The which day Robert Giffan in Stitchill is judicially decerned to make payment to John Sinclair in Haryheuch the soum of 3lib. 14sh. Scots money as the aggryed pryce of halfe a stack of peitts bought and receaved be the said defender from the complainer at the latter end of October last In respect the said defender being lawfullie summoned ofttyes called and not compeiring was holden as confest.

Claim.

The which day James Haggart in Maynrigg is judicially decerned to make payment to Adam Richisone in Stitchill the

soum of 10libs. Scots money for certain service done by the Complainer to the said defender 3 years since or therby *Ex confessione rei*.

Item Alexander Alexander in Stitchill the soum of 4lib. 2sh. Nag. money forsaied as the remainder of the pryce of a naig bought be the defender from the Complainer at St Bosuall Fair last. *Ex confessione rei*.

Item Robert Taylor in Queenscairn the soume of 9sh. money ^{Faliding.} forsaied as the remaynder of certain faliding 8 years since In absence, etc.

The which day John Watson in Queenscairne is judicially decerned to make payment to Alexander Lowry ther the soum of 34 pounds 10sh. Scots money for twa house maills and a ^{Rents.} halfe for the space of 3 years at 11lib. 2sh. yearly. The persewer always delyvering to the defender 3 thrave of straw which the persewer condescendit to give him. In respect the samyn was verified be the defenders oath being referred therto be the said persewer.

As lykewyse assoilzies the Persewer from all alledgeance proponnid by the Defender that the Persewer ought to reimburse him of the halfe of the charges bestowed upon the barne which alledgeance being referred be the said Defender to the Persewers oath for probation and the said persewer being solemnly sworn upon his great oath deponnid that the defender took these houses of him with this expres condition that the defender should be at the wholl coast and charges belonging to these houses during his possession therof and that the houses was sett by the defendant and taken by the Defender in the expres conditions and terms befor mentioned In respect wherof assoilzies the Persewer from the alledged compensation and decerned against the defender in manner forsaied.

The which day Michael Bingall and William Taylor In- ^{Riot £5.} dwellers in Stitchill are unlaid and amerciast as follows viz. the said Michael Bingall in 5lib. Scots money for ane Ryot committed be him upon the said William Taylor and thrusting him to the door and calling him Knaive and raskeil In respect the said Michael acknowledged his calling Taylor Knaive and Raskeil and thrusting him to the door but denied

50s. fine.

the beating of him which was referred by the Procurator ffiscall to his oath who refused to depon wherfor he was unlaid as said is. The said William Taylor in 50sh. Scots in respect of his acknowledgment that he did tair Bingalls hair and returning him abusive language.

1700, April 20.

Anent a Regulation for the Sowmes in the Maynes:—

That whereas it is allowed to the Possessors in the said Maynes to put thereon a certain Stent of the sheip to the end that the said stent may be nowayes prejudiciall to the said ground and possessors therof And especially to the cow pasture in the ground the following Regulations are hereby statuted and ordayned to take effect from the Term of Whitsunday 1700 viz.—That no Tennent in the Mains put more sheip upon his possession than what amounts to the halfe of his Sowmes conform to the Stent and number of sheip for each Soum that is aggryed to by the severall possessors therof Item that wher any possessed but one Soum in the Mayns that Soum shall absolutely be a Kow or Oxe and not a sheip and that the possessor in that caice shall not bring sheip of his own nor sheip pertayning to others Item that during the wholl Summer ther shall be keiped different pastures for the sheip and Kowes and Oxen If it be so resolved on by the plurality of the possessors but in this they ar left to ther own convenience. And for the better effecting of this, the herd is heirby dischaired to feed his own Kowes apairt from the rest of the cattle under the severest payns and all concerned ar ordayned to observe this present Regulation in all its poynts Certifying such as have more sheip upon the ground than falls to their share in the forsaid terms the Overstent shall be forfeited the one halfe to the informers and the other halfe to the use of the poor within the paroch.

(92)
1702, June 6.

Ane Court of the Lands and Barronnie of Stitchill holden at the Kirk therof by the Right Honourable Sir John Pringle of Stitchill Knight Barronnett Heretable Proprietor of the Lands and Barronnie therof upon the 6th day of June 1702 years.

Curia legitime affirmata.

The which day the said Sir John Pringle sittand in judg-

ment anent the Lybell persewed at the instance of the Procurator ffiscall to the said Court against the wholl Tenents and cottars within the Barronnie of Stitchhill mentioning that wher by the 13th Act of the 18th Parliament of our Sovereign Lord King James the Sixth of blessed memorie holden at Perth the 9th day of July jajvi^e and sex years Entituled Act anent Laying of Lint in Burns and Lochs wherby our Sovereign Lint. Lord and Estates of Parliament finding that the Laying of Lint in Lochs and Burns is not only hurtfull to all fyshe bréd within the samyn and bestiall that drink therof But also the haill waters of the said Lochs and Burns therby being infected is maid verie unprofitable for the use of man and very noisome to all the peoples lyving therabout Therfor statute and ordayned that no person nor persons in Tym cumeing laying in Lochs and Running Burnes any Grass Lint under the payn of 40sh. Scots money *toties quoties* for ilk tym they shall contraveine and confiscation of the Lint as in the said Act at more Lenth is containd And also upon the wholl meill-makers within the said Barronnie of Stitchhill for vending and selling of meall and not weighing the same by weight contrair to the Act of Parliament daited 25 September 1696 and lykewyse upon the wholl Weavers. weivers within the said Barronnie for weaving of Linen cloath vendible at the pryce of 10sh. Scots the ell or above under the breadth of 1 ell 2 in. expressly contrair to the Act of Parliament And for keiping of unsufficient weights and measures as also for making of Supernumerary mariages and intertaining Marriage parties. mor persons therat than is allowed be the Act of Parliament As also upon the Merchants within the said Barronnie for importing of prohibit goods from England to Scotland and siclyke Smuggling. for fishing, hunting, and gunning in forbidden tyme and trew Poaching. it is and of veritie that the fornamid persons have contraveined the said Acts of Parliament and that therefore they and ilk ane of them ought and should be unlaid and americiat conform to the said Acts of Parliament in example of others not to committ the lyke in all tym coming Which Lyble being called the said Judge continued the same till the next Court day and ordayned the wholl tenants and cottars to compear the nixt Court day with certification And accordingly upon the 4th day of July thereafter being the nixt Court day the wholl defenders com-

All guilty. peared in ane fencit Court and confest guilty of contraveining
 the said Acts of Parliament made anent steiping of green
 Lint in Lochs and Burns wherfor the Judge onlaid ilk ane of
 Penalty 40s. them in 40sh. Scots money for ilk transgression. And holds the
 meel-makers as confest and unlaes ilk of them and ilk ane of
 the weavers in the termes and under the penalties contained in
 all the saids Acts of Parliament And likewise continews the
 action against George Aitchison upon the penall Statutes
 and particularly for importing of prohibit goods from England
 till he be farder insisted against at the nixt Court In regard
 of his absence this day upon his necessary affair who accord-
 ingly upon the 21 day of November 1702 in ane uther lawful
 fencit Court compeared and denyed the said Lyble wherfor the
 Assoilzied. said Judge assoilzied him therfra in respect of his oath who
 deponnid negative.

(93)
 1702, July 4. Act empowering the Barron Bailie to use Summar poynding
 and diligence for all debts not exceding the soume of 30sh.
 Scots upon the complaint of any party and the debtors
 acknowledging the debt.

(94)
 1703, May 29. The Courts of the Lands and Barronnie of Stitchill halden
 at the Kirk therof be the Right Honourable Sir John Pringle
 of Stitchill Knight Barronnett upon 29 May 1703.

Curia legitime affirmata.

Debt. The which day James Hogart in Stitchill is judicially
 Hume. decerned to make payment to Robert Pringle merchand in
 Home the soume of 4lib. 5sh. Scots money resting of ane
 Compt for merchandise goods bought and receaved be the
 Defender from the Complainer within these twa yeires or
 therby *ex confessione rei* with 14sh. money forsaid of expenses
 of pley.

Claims. The which day anent the claime persewed at the instance of
 Agnes Lamb relict of the deceast Thomas Underwood wright
 in Stitchill Mentioning that wher James Hogart ther is justlie
 adebted to her the soume of 3lib. Scots money which was paid
 Ploughing. by the complainer and her deceast husband to Thomas Simm
 for plewing of ther land which the Defender entered to in
 Ale. March 1700 years Item 16sh. money forsaid for certain aill and

other particulars furnished be the complainer to the defender 3 years since or therby which being called and the said defender compeared personally who confest the first article but alledged compensation and lykewyse confest the second article which the Judge taking to consideration finds the defender lyable to pay what the Complainer expended upon labouring the ground and lykewyse decerned for the 16sh. *ex confessione* And referred some other Artickles of the said Lyble to the Burlae Court to be discust ther conform to the Burlae Court. use and practice of the Barronnie And ordayns the said Burlae Court to hold this day eight days for that effect.

Ita est attestor ego Gulielmus Pringle Notarius Publicus cler.

Ane Barron Head Court halden at Stitchill Kirk be the Right Honourable Sir John Pringle of Stitchill Knight Barronnett Heretable Proprietor of the Lands and Barronny therof upon the 13th November 1703. (95)
1703, Nov. 13.

Curia legitime affirmata.

The whilk day the wholl tenants and cotars being called compeired all personally and took Instruments upon their compearance.

The which day John Currie in Stitchill is judicially decerned to make payment to David Hogart ther the soum of 30lib. 19sh. Scots money as the pryce of ane mear bought and received Mare. be the said defender from the said complainer at Midsummer last and partly of borrowed money at the Tym forsaid. Item the soum of 8lib. 1sh. 6d. money forsaid as the aggryed pryce of 17 ells of Linning cloath sold and delyvered be Elspeth Hog- Linen.gart the complainers daughter to the Defender at Midsummer last In respect the said defender being lawfully summoned to have compeired this day and place as was sufficiently verified be the officer at the barr oft tymes called and not compeiring wherfor the Judge decerned in manner forsaid and for 3sh. of expenses.

The which day anent the claim persewed at the instance of Debt. John Lamb Tennent in Maidenhall against Thomas Galbreath in Stitchill makand mention That wher in May last the said complainer granted to the said defender to ane certan soum of

money for which the Defender promised to pay to the complainer 12lib. Scots money for granting the said assignation at Lambmes thereafter And albeit it be of veritie that the said defender has oft tymes since syn promitted payment and . . . As the Lyble bears which being called and the said Persewer and defender both compeirand personallie The defender alledged not lyable in the soume lybelled unless he receaved the soume assigned from the debtor which was referred be the persewer to his oath who deponnid positive and lykewyse depones that the persewer promised never to demand the 20sh. lybelled and likewyse depones that he never receaved any money containd in the assignation either in haille or in part And this is the truth as he shall answer to God which the Judge takeing to his consideration ordaysns the defender to use diligence upon the assignation against the Debiter betwixt and Lambes nixt and for that effect to procure ane rovin instruction otherways is decerned for the other 20sh. And that the persewer shall have acces to the defenders goods by poynding without any further decreit.

Ita est attestor ego Gulielmus Pringle Notarius Publicus ac praedict. curiae clericus.

(96)
1704, June 3.

Ane uther Barron Court halden at Stichill Kirk be Sir John Pringle of Stichill Knight and Barronnett Heretable Proprietor of the Lands and Barronnie therof upon the 3rd day of June 1704 years.

Curia legittime affirmata.

Scandal.
Bourlae Court.

The which day anent the Lyble persewed at the instance of the Procurator ffiscall against Thomas Galbreath and John ffairbairne Tennents in Stichill Mentioning that wher at Whitsunday last in ane publict Bourlae Court the saids Defenders scandalized each of them others in ther good names by calling others Knaves to the Loss of ther credits and particularly the said Thomas Galbreath affirmed that he wold prove the said John ffairbairne ane knave in face of the said Bourlae Court the wholl neighbourhood being conveyned for the tyme and therefor craves that they and ilk ane of them shall be unlaid and amerciati for the said scandells in example of others to committ the lyke And lykewyse that your Lord-

ship will be pleisit to inact statute and ordayne that in all Tyme coming whoever of the Tennents and others within the Barronny of Stitchill shall offer abusive language to others that your Lordships officer may be allowed to poynd the Transgressors immediately thereafter for such penalties as your Lordship shall think fitt.

Which being called and the said defender compeiring personally and denyed the Lyble which the ffiscall offered to prove Another nixt Court day being assigned for proveing therof several famous witnesses being led and adduced for that effect The said Judge and Barron found the said Lyble sufficiently proven against the said Defender Galbreath and Fine £3.

therfore americiats him in 3libs. Scots money In respect of the Depositions of severall famous witnesses and finds the Lyble not proven against ffairbairn and therfor assoilzies him therfra. Act empowering the Bourlae men to punish all disorders that shall be committed at ther Court either be the members therof or others according to the circumstances of the cryme and persons (declairing always that this shall not extend to blood) either by fynning or by corporall punishment as they shall think fitt and ordayns present execution to pas upon their Sentence. Act anent contempt of Court.
Corporal punishment.

The which day Andro *alias* David Hoggart in Stitchill Carrier. Andro Hoggart caryer ther and Thomas Hoggart ther ar judicially decerned to content and pay to James Wilson servitor to Alexander Lowrie tennent in Queenscairne the soume of 5lib. Scots money adebted be James Hogart late in Stitchill to the complainer and which was arreisted in ther hands as ane debt dew by them to the said James Hoggart wherof the Defender promist payment to the complainer In respect the said defender David Hoggart compeired and confest the promise wherfor the Judge decerned in manner forsaid.

The which day Thomas Galbreath in Stitchill is decerned Chest £3. to pay to Adam Hoggart wright ther the soum of 3lib. Scots money as the pryce of ane Chist bought and receaved be John Henderson in Stitchill from the Complainer at Pasch last wherof the said Defender promist payment In respect the Defender compeired personallie and confest the said promise of payment.

Gulielmus Pringle Notarius Publicus cler.

(97)
1704, Nov. 18.

Ane Head Barron Court holden at Stitchill Kirk be the Right Honourable Sir John Pringle of Stitchill Knight Barronnett upon the eighteenth day of November 1704.

Curia legittime affirmata.

Thatch and
Divots for the
Mill.

The which day anent the Action and Cause intended and persewed at the instance of John Younger tacksman of the Corne milne of Stitchill against the wholl Tennants within the said Barronnie of Stitchill making mention that wher the Tennents was in use formerly to repair and maintain the corne milne of Stitchill in thatch and divott both in the complainers and his predecessors tym Wherfor the complainer humbly craved that your Lordship will ordayne the said Tennents to furnish thatch and divotts for repairing the said milne in Tyme cumeing As your Lordship assigns as do the said Lyble or petition bears. Which being called and John Donaldsone one of the Tennents in Stitchill compeired for himself and in name of the rest of the Tennants and denyed the claime Wherfore the said Judge Barron continued the said Action till the nixt Court day and in the meantym for the present use and exigencies of the mill ordaynes the miller to lead himself the one halfe of the thatch as also to cast and lead the one halfe of the said divotts and ordayns the Tennents to lead and cast the other halfe that the said affair may be considered and a fixt rule made for it in all tym comeing And ordaynes for that end the miller to meitt on Saturday nixt with Alexander Lowrie John Donaldsone John Brunton Robert Giffan and any others of the Tennants in Stitchill they think fitt to require to make Tryall if they can fall upon any expedient for fixing a rule and method for furnishing the milne with Thatch and divot in all Tym comeing.

House-rent.

The which day Adam Hoggart caryer in Stitchill is judicially decerned to pay to Alexander Wilson Tennent ther the soume of fyfty four shillings Scots money as the remaynder of ane house-maill possesst be the Defender pertayning to Janet Lamb spouse to the Complainer four years since and continued the rest of the soum acclaimed till the nixt Court day that Janet Lamb compeir. *Ex confessione.*

Weaver-work
32s.

The which day Margrat Galbreath in Stitchill spouse to John Currie ther is judicially decerned and the said John for

his interest to make payment to John Mather weaver in Kelso the soume of 32sh. Scots money for certain weaver work wrought be the Complainer to the Defender 2 years since In respect of the said persewers oath theranent.

The which day Robert ffairbairn sone to John ffairbairn tennent in Stitchill is judicially decerned to pay to the Procurator ffiscall the soume of 5lib. Scots money as ane fyne imposed upon him for disobeying the Baron Bailies order in refuseing to goe to the Barronny of the Hirsell with some other of the Tennants anent some urgent affair of your Lordship when he was required therto Wherefore the Judge onlaid and amerciat in manner forsaid.

Disobeying
Baron-Bailie
£5.

Hirsell.

Act ordayning the Tennants and coatters to be carefull of the young tries that ar planted in their yairds and declairing that every Tennant and coatter shall be lyable in 12sh. Scots for each trie that shall be broken and eatten with beasts.

Young Trees.

Curia legitime affirmata.

The which day Andro *alias* David Hogart elder in Stitchill Andro Hogart caryer ther Thomas Hogart Calseyend are judicially decerned to pay to John Brunton smith ther the soume of 5lib. Scots money which is adebted be James Hogart sometyme in Stitchill to the Complainer wherof they promist payment ilk ane for ther own pairts. *Ex confessione rei.*

(98)
1705, May 5.
Debt.

The which day Andro Watson and Andro Hogart Tennants in Stitchill ar judicially decerned to pay to James Dickson Tennant at Park End the soums of money following for the causes efter specified vitz,—The said Andro Watsons the soum of 30lib. Scots money as the aggryed pryce of ane naig bought and receaved be him from the complainer ane year since The said Andro Hogart 16lib. 10sh. money forsaid as the rest of 6 bolls oats bought and receaved be him from the complainer and Robert Giffan in Sweithope equally betwixt them twa yeirs since In respect the Defender Watson compeired personallie and confest the same and the Defender Hogart being lawfully summoned ofttymes called and not compeiring was holden as confest.

Nag £30.

(99)
1705, Nov. 10.

Ane Head Court holden at Stitchill Kirk be the Right Honourable Sir John Pringle of Stitchill Knight Barronnett Heretable Proprietor of the Lands and Barronnie therof upon the 10 day of November 1705.

Curia legitime affirmata.

Smailholm.

The which day Adam Hogart in Stitchill is judicially decerned to pay to Thomas Lawrie in Smailholme Spittle the soume of 3lib. 19sh. Scots money restand of a greater soume dew be him to the Complainer conform to his Bond *Ex confessione rei* with 12sh. of expenses of pley.

2 Bolls Beare
£13.

The which day Margrat Thomson relict of the deceast Thomas Galbreath in Stitchill is judicially decerned to pay to John Smith smith ther She as executor or at least intro-missatrix with her deceast husbands goods and geare the soume of 13libs. Scots money as the pryce of two bolls Beare bought and receaved be the said defunct from the Complainer three years since in respect the said defender being lawfully summoned ofttymes called and not compeiring was holden as confest.

Hume.

The which day John Curry in Stitchill is decerned to pay to Robert Pringle merchant in Home the soume of 3lib. 18sh. Scots money conform to any produce receaved. In respect the said defender compeared personally and confest the same with 12sh. money forsaied for expenses of pley.

Nag 20 merks.

The which day Ritchard Taylor in Queenscairn is judicially decerned to pay to John Younger Tennent at Stitchill Milne the soume of 20 merks Scots money as the aggryed pryce of ane naig bought and receaved be the said Defender from the Complainer within these six years or therby In respect the said defender being lawfully summoned ofttymes called and not compeiring was holden as confest.

Hume.

Mare £12. 10s.

The which day James Marjoribanks wright in Stitchill is judicially decerned to pay to George Gib in Home the soume of 12lib. 10sh. Scots money as the cost of ane near bought and receaved be the said defender from the complainer ane year since In respect the said defender compeared personally and confest the same with 24sh. of expenses.

Millerstain.

The which day the said James Marjoribanks is judicially decerned to pay to John Meilke in Mellerstain the soume of

6lib. Scots money as the pryce of half ane boll of oatmeall $\frac{1}{2}$ Boll Meal £6. bought and received be the said defender from the said complainer on Whitsunday last (the term of payment being first come and bygone being Mertimes 1705) *Ex confessione rei*.

Gulielmus Pringle Notarius Publicus cler.

The which day John Curry in Stitchill is judicially absolved from the Lyble persued at the instance of Margrat Black in Stitchill against him wherby she acclaimed from the Defender 27lib. Scots money as the pryce of ane load of meall which belonged to her and to Patrick Millar her deceast husband with which the defender being then the complainers servant was entrusted to sell at Edinburgh and to be comptable to the complainer and her said deceast husband 6 years since or therby And trew it is that without any order from the complainer or her husband the Defender trusted the said meall and has never compted nor payed the same, and therfor ought to be decerned to make payment therof as the Lyble bears. Which being called and the said defender compeared and denyed which was referred be the said persewer to her oath of verity simpliciter who being solemnly sworn upon his great oath deponnid negative to the haill points of the Lyble and that he had compted for the meall lybelled and that he was owing nothing to the complainer nor her deceast husband and this is the truth as he shall answer to God *sic subscribitur* John Currie In respect therof the said Judge assoilzied in manner forsaid.

The whilk day the wholl Tennents and Cottars in Stitchill are judicially decerned for the annual rents of rents due by them after the term of Mertimes this present year 1705.

Decreit against Tenants.

Allowing the possessors of fourth parts in the Maynes to put on sheip upon their grass in place of a cow according to the Common Stent if they think fit.

Act anent the Mayns.

Ane other Barron Court holden at Stitchill Kirk be Sir John Pringle of Stitchill Knight Baronet Heretable Proprietor of the Lands and Baronny of Stitchill upon the 16 day of November 1706.

(100)
1706, Nov. 16.

Curia legitime affirmata.

The which day Adam Chairtris in Stitchill and Andro Debts.

Hogart caryer ther are judicially decerned to pay to Andro *alias* David Hogart younger either the souns of money underwritten for the causes efter specified ilk ane of them for their own pairts as is efter divydit To witt the said Adam Charteris the soun of 5lib. 6sh. 8d. Scots money as the remainder of the pryce of ane bargain of oats which was instructed by the defender to be sold at Dalkeith and which was disposed upon by him at Lambmes bygone a year. In respect it was alledged by the persewer that the Defender Chairteris undertook for his payment of the said proportion for probation referred the same to the defenders oath which he deferred to the persewers oath who being solemnly sworn upon oath deponed that the Defender Charteris expresly promist payment of the soun lybelled Wherfor the Judge decerned in manner forsaid without allowance of any expenses except what was expressly paid out at selling the oats Item the said Andro Hogart the soun of 59sh. 4d. Scots money borrowed and received be the defender Hogart 4 years since *ex confessione rei* And was assoilzied from the remaynder of the soun lybelled In respect of the persewers refusal to give her oath upon ane exception of payment proponned be the defender.

The which day John Brown Tenant in Stitchill is judicially decerned to make payment to Andro Johnstone servitor to John ffairbairn in Rowes the soun of 16lib. Scots money as the agryed pryce of certain beare and oats which grew at Sweithope sold and delivered be the persewer to the defender cropt 1705 which should bein payed the first of May last In respect the said defender being lawfully summoned oft tymes called and not compearing was halden as confest.

The which day John ffairbairn Tennent in Stitchill is judicially decerned to pay to William Dickson ther the soun of 34sh. and a farthing Scots money as the ballance of ane Accompt dew be the persewer with 6d. of expenses.

Gulielmus Pringle Notarius Publicus cler.

Ane other Court holden at Stitchill Kirk be the Right Honourable Sir John Pringle of Stitchill Knight Barronnett upon the 11th day of January 1707 years.

Curia legitime affirmata.

The which day anent the Lyble persewed at the instance of Alexander Scott servitor to John Lawrie in Stitchill with concurrence of Procurator ffiscall against Walter Scott in Stitchill Making mentione that when about 20 days since or therby the said defender in ane furious manner scandalized the said Janet Puntem in her good name and reputation by threatening the complainer and calling her banisht bitch and desyred to her to come out that he might draw blood of her about the eyes wherby he has comitted ane manifest scandall and ryot and therfor the said defender ought and should not only be unlaid and amerciat conform to the Acts of Parliament but also punyshed in his body to the terror of others to commit the lyke in tym comeing And also to make satisfaction as accords As the Lyble more fully bears Which being called the said defender compeared personally and denyed, which the persewer referred to his oath, who refused to purge himself by oath and therfor amerciats him in ten pounds Scots money Decerning to Janet Puntan the party wronged Thrie pound therof for which she is allowed to poynd his goods and doe any other diligence wherein she has a mynd. Also requires Alexander Lowrie to give all concurrence and assistance to the party wrongid in case she have a mind to persew the said scandall before the Kirk Session or any other competent judicatory for reparation of her good name. Scandal £10. Kirk Session.

The which day Alexander Scott in Stitchill is amerciat in 5lib. Scots money for ane spuillzie committed be him in offering to take ane pott out of the said Alexander Scott his brothers house forcibly. *Ex confessione rei.* Seizure of pot. Spuillzie £5.

The which day John Brunton smith in Stitchill and Adam Charteris ther ar ilk ane of them amerciat in 5lib. Scots for ryots committed ilk ane of them upon others in tyme of Teynding and stopping therof. Riots £5. Teinding.

The which day Andro Watson in Stitchill is judicially decerned to pay to John Younger miller at Stitchill milne the soun of 5lib. 4sh. 6d. Scots money resting of a greater soun conform to ane fitted accompt this day betwixt the Persewer and defender In respect of the defenders own confession with 10sh. money forsaid of expenses. Debt.

Act discharging all possessors of ground in the Mayne

Green pease in
the Mayns
penalty £10.

Bourlae Court.

Rents and
interest.

fourth aikers or any other ground within the Barronny of Stichill not exceeding ane quarter of ane husband-land to putt green peise in all tyme comeing under the pain of 10lib. halfe therof to be given to the Informer. The foresaid Act is referred to a Bourlae Court that it may be considered by the possessors themselves how far it may be convenient or inconvenient for them, and ordains a Bourlae Court to be halden for this purpose the first Saturday of May nixt.

The which day the wholl Tennants and possessors within the Barronnie of Stichill ar judicially decerned for ther rents resting unpayed at Mertimes last and annual rents of the same from the said term so long as they are unpayed.

(102)
1707, May 24.
8 Ells Sacking
10s. 8d.

The which day David Hogart in Stichill is decerned to pay to John Paterson weaver ther 10sh. 8d. Scots money for 8 ells of sacking-cloth wrought be the complainer to the defender 2 years since at Candlemes last.

Folds.

Bourlae Court.

The which day anent the claim persewed by James Service Alexander Hislop, James Turnbull, and Adam Hogart Tennants in Stichill against John Richison dyker ther Mentioning that wher in March last the saids complainers for themselves and in name of the rest of the nighborhead imployed the defender to build four folds which the defender undertook to mount in of the said faulds for serving their sheep immediately efter the said conditione which he has not yet performid and therefor he ought and should be decerned to make payment to the complainers the soun of . . . for coast, skaith and damage. Which the said Barron and Judge taking to consideration referred the matter to the decision of the Bourlae Court.

(103)
1707, Nov. 8.
Headstones.

The which day Anent ane petition given in by John Dickson taylor in Kelso and Agnes Hamilton his spous, shewing that whereas George Hamilton in Smailholm Spitle having at his own hands about 5 years since or therby causid lift twa heids which belongid the petitioner Agnes Hamilton her deceist father and brother and hes disposed upon the same And therefor the Petitioners humbly cravid that the said Barron and Judge will be pleasid to appoint such persons as

his lordship should think fitt to take tryall of the same and report.

Gulielmus Pringle Notarius Publicus cler.

And that the said twa Heid stanes may be restored back to the petitioners and set up in the places they were formerly takin from And your lordships authority etc. Which petition the Judge taking to consideration ordayns Alexander Lowry with assistance of Adam Hogart wright, John Underwood beddell, George Hamilton Tennant John Donaldson and Richard Givan to take under ther consideration the contents of the said petitione and to make report of the same instantly as betwixt and this day eight days Who having instantly viewed the ground reports that according to ther best knowledge and judgment the headston that was sett at George Hamilton wright his grave doth still remain ther, And lykewyse that it is not consistant with ther knowledge that the said George Hamilton his sone had a headston at his grave nor that the within-designed George Hamilton had removed any headstones during his residence at Stitchhill or since. And ordayns extracts heiroyf to be given to the parties if they think fitt The forsaid report *sic subscribitur* Alexander Lowrie John Donaldson, Robert Givan, Adam Hogart, George Hamilton, John Underwood.

Ane Barronny Court holden at Stitchhill Kirk Be the Right Honourable Sir John Pringle of Stitchhill Knight Barronnett Heretable Proprietor of the Lands and Barronnie therof upon the forsaid 31st January 1708.

(104)
1708, January 31.

Curia legitime affirmata.

The which day Anent the Lyble persewed at the instance of John Underwood Procurator ffiscall of this said Court against John Brunton smith in Stitchhill James Sheill ther, Peter Grigor ther, John Anderson ther, James Dods ther, John Smith ther, John Brown ther, James Steinson in Hume Byres Mentioning that wher be Act of Parliament of date the 25th day of March 1707 years All the leidges and subjects within this Kingdom ar expressly prohibit and dischaired to wind ther deid in Linnen cloth and trew it is that the fornamid persons and ilk ane of them have contraveined the

Burial in Linen
forbidden.

To be Buried in
Woollen. said Act of Parliament in not burying their deid in woollen¹
viz.,—The said John Brunton for his mother-in-law, James
Steill for his child, Peter Grigor for his child, John Anderson
for his sone, James Dods for his child, John Smyth for his
wyfe Agnes Dickson, John Brown for his wyfe Margaret
Cockburn, James Steinson for his child, And therfor they ought
and should be decerned ilk ane of them in the soun of 200
Penalty £200. pounds Scots money and the halfe therof to be applyed to the
use of the poor conform to the Acts of Parliament thereanent
as the Lyble bears. Which being called and the defenders
being lawfully summoned oft tymes called and not compeiring
was holden as confest except the said defender John Brunton
being necessarily absent and in regard it was credibly attested
by severall persons that his mother in law died before the
dates of the Act and lykewyse attested be the Defenders own
wyfe Wherfor the Judge and Barron assoilzied the said
defender Brunton in manner forsaide and decerns against the
rest of the absents And the rest in the Lyble compeiring in
the said soun of 200libs. money forsaide and ordaines the
halfe therof to be applied to the use of the poor conform
to the Acts of Parliament theranent. In respect the saids
persons compeiring confest they had contraveined the said
Act of Parliament anent burying in woollen.

Lands out of
rotation.

The which day anent ane Complaint given in be Robert
War servant to the said Sir John Pringle against Adam
Charteris and Alexander Hyslop Tennants in Stithill shewing
that wher the fornamid persons contrair to neighbourhead and
practices of the Barronnie put their lands out of the ordinary
breaks and therfor they ought and should be decerned to
make payment to the said persewer as ffactor forsaide to the
said Sir John Pringle of the soun of . . . as cost, skaith and
damnage as the said Complaint bears Which being called and
the said Judge and Barron finding that the defender Hysloppe
by his own confession has prejudged the ground he possest in

¹ This Act of Parliament was passed with the object of encouraging the woollen trade in the kingdom. And ministers of religion were enjoined to see it carried into practice; hence the rural Scots custom of having the clergyman present when a body was chested or placed within the coffin.

plowing up Lie ground which had only lyne for one yeare And therfor decerns against him in Ten pounds Scots for making up of the loss and damage yearly And ordayns such effects as the said Adam Charteris hes within the Barronnie yet remayning to be socneid and arreisted till he satisfye for the Socneid. damage done be him in manner forsaied.

The which day Agnes Lamb in Stitchill is decerned to pay Land-tilling. to James Turnbull tennent there the soume of 30sh. Scots money in compleat payment of 30sh. money forsaied acclaimed be the persewer fra the said defender as the remayn of the pryce of certain land-tilling within these 3 yeares or therby In respect the persewer refused to give his oath upon the verity of the Lyble efter the same was deferred therto.

The which day the said Judge and Barron sitting in judgment decerns against the haill tenants and cottars who have not yet payed in their rents dew at Mertimes 1707 or who shall not pay them betwixt and the third of the nixt moneth for the saids rents and the current interest therof from the said term of Mertimes so long as they remayn unpaid. Unpaid Rents.

Gulielmus Pringle Notarius Publicus cler.

Curia legitime affirmata.

The which day Alison Hogart in Stitchill is inlaid in one shilling sterling for breaking of a Firr tree branch at her own hands without liberty given to her for that effect. (105)
1708, May 8.
Fir Branch 1s.

As also the said day the said Sir John Pringle sittand in judgment decernes against the Tennants within the Barronny of Stitchill as shall failzie in payment of ther rents at Whitsunday nixt for the annualrents therof from the said term of payment. Rents and interest.

The which day Thomas Watson in Stitchill is decerned to pay to Robert Gottrae ther the quantity of seven halfe fulles of oats and one peck with halfe peck of beare eatten and destroyed be the Defenders Bestiall in harvest last conform to note of apprysing submitted be Alexander Lawrie John Donaldson and Alexander Wilsone ordinar comprisers within the Barronnie produced in process as the pryce therof of the said oats at 4lib. 10sh. the Boll and the beare at the rate of 1 Boll Oats and Bear.
£4. 10s.
5lib. 10sh. the Boll at the option of the Defender either to

pay that value or corn in specie conform to the said quantity lybelled and that within 8 days otherways to be lyable for the value in money.

Curia legitime affirmata.

(106)
1703, Nov. 20.

Which day compeared the wholl tenants of the said Barronnie being lawfully warned and called to that effect.

Two horses to
Dalkeith
4sh. ster.

The said day Robert Weir in Stitchill is decerned to pay to George Hamilton in the Hill ther the soums of money following for the causes efter specified viz.—The soume of 4sh. sterling as the pryce of Two horse cariages to Dalkeith or any other part round within that distance or to lend the persewar twa horse to Dalkeith or to any other part round within that distance and that within 21 hours advertisement with this certificatione that if the complainer doe not require the saids horses betwixt and the term of Whitsunday nixt as otherways shall have no farther claim to them and lykewyse the soum of 20sh. Scots money for two horse cariages to him to Hundalee in the same maner in Summer last both as to the tyme of performance with 9sh. money forsaid for muck leid-ing with 16d. for twa leids of oats carying to the mylne Item ane grot for 2 reists *Ex confessione rei*.

(107)
1709, April 23.

The Court of the Lands and Barronnie of Stitchill halden at the Kirk therof be the Right Honourable Sir John Pringle of Stitchill Knight Barronnett Heretable Proprietor of the Lands and Barronnie therof upon the forsaid day moneth and year above written.

Curia legitime affirmata.

Lint in lochs
etc. 40s.

The which day the said Sir John Pringle sittand in judgment anent the complaint given in be John Underwood Procurator ffiscall against the Tennants and Cottars wtlhin the Barronny of Stitchill for transgressing the Acts of Parliament made against steiping of green Lints in Loches or burns to the prejudice of the fishes therin and bestiall that drinks of the waters therof The said Judge fyned the Tennants and Cottars compearing ilk ane of them in 40sh. Scots money in respect of ther confessions and ilk ane of the absents in 10libs. money forsaid for contumacy In respect they were lawfully cited to have

Contumacy
£10.

compeired that day and place oft tymes called and not compeiring wherfor the Judge unlaid in manner forsaid and ordayns the absents to be cited to the nixt Court day with certification.

Curia legitime affirmata.

The whilk day being ane Head Court the wholl tennants and cottars compeiring being lawfully warned for that effect and took Instruments of their compearance and were unlaid for transgressing the forsaid Act of Parliament conform to the Termes therof.

(108)
1709, Nov. 5.

Act ordaining all within the Barronnie of Stitchill to make punctuall payment to the Schoolmaster of the quarters fees at ther Entrees Declaring that efter any has begun a quarter and removes ther children from the school befor the said quarters be finished they shall have no allowance of what shall be wanting of the said quarter nor shall be allowed to count the same upon the beginning of ane other quarter Nor shall be allowed any single days that are intermitted in a quarter Excepting from this Act the cause of sickness only for which allowance may be claimed.

Payment of
schoolmaster.

Curia legitime affirmata.

The which day Agnes Lamb relict of the deceast Thomas Underwood wright in Stitchill and Robert Weir tennant in Park End ar judicially decerned to pay to Robert Pringle merchand in Home the soumes of money following ilk ane of them for ther own pairts as is efter divyded viz.—The said Agnes Lamb the soum of 3lib. 7sh. Scots money as the remainder of certain Lint bought and receaved be her fra the complainer 5 years since; The said Robert Weir 5lib. 9sh. money forsaid for certain iron bought and receaved be him fra the complainer a year since In respect the said defender Lamb and Robert Weir his wyfe compeared both personally and confest the forsaid soums to be justly resting wherfor the Judge decerned in manner forsaid.

(109)
1710, May 6.

Debts.

The which day Peter McGregor in Stitchill is decerned to pay to John Watson at Stitchill walk mylne the soumes of money following for the causes specified, viz.—The soum of 28sh. Scots money for milling and dressing of 14 ells of gray

Waulk mill.

Milling and
dressing gray
2s. per ell.

at 2sh. per ell Item 17d. for cloath milled and prest at the 29th June last extending to 2lib. 5sh. money forsaied.

Nag.

The which day the said Peter McGregor is decerned to pay to John Currie in Stitchill the soume of 9lib. 10sh. Scots money resting of the pryce of ane naig bought and receaved be the defender fra the complainer at Mertimes last as the pryce of a cappfull of meall bought and receaved at the tym forsaied In respect the persewers oath being deferred therto by the defender.

4 fulls horse
corn 45s.

The which day the said Peter McGregor is decerned to pay to James Manderstone in Harlae the soume of fourty fyve shillings Scots money as the pryce of four fulls horse corn bought and receaved at Chalamas¹ last. *Ex confessione rei* with ten shillings of expenses.

The which day Issabell Pringle in Stitchill spouse to James Wilson in Kelso is decerned to pay to Robert Wood taylor in Stitchill the soum of 9lib. Scots money resting of the soum of 16lib. money forsaied promitted be him in name of prentice fee with her son James Wilson In respect the defender being lawfully summoned ofttymes called and not compearing was holden as confest.

Cow £24. 11. 6.

The which day Thomas Donaldson in Stitchill is decerned to pay to Alexander Hislop tennent ther the soum of 24lib. 11sh. 6d. Scots money as the pryce of ane Cow bought and receaved be the defender fra the complainer ane moneth since In respect of the persewers oath.

Teinding
penalties 1s.
and 3s. stg.

The which day the said Judge and Barron sitting in judgment statutes and ordayns in all tyme comeing the small possessors in the toun of Stitchill attend the Teynding upon the first wairning and upon ther negligence and faillzency herein impowers the officer within the Barronnie to poynd summarily and immediately to the value of 1sh. sterling and this for delaying to come out but if they be absent the wholl tym to the value of 5sh. sterling and this to proceed upon summer poynding.

Expiry of
tenancy.

Act Declairing that when any of the small possessors in the Maynes and acres of Stitchill give over ther possessions at the

¹ Candlemas, February 2.

term of Mertimes as is customary with severalls They shall be obleidged to refund the value of the gras they possessed the year before without any deduction or allowance for herds fee or other expenses and lykewyse declairs that any of the saids possessors giving over in manner above exprest shall have no right to the fail of that years cropt nor any fuill mad about ther house but shall leave it to the next possessor of the ground without any payment on that accompt or consideration therfor.

The forsaid day William Watson George Aitchison James *Bourlaemen.* Turnbull David Hogart Alexander Hamilton and John Watson were admitted Bourlaemen who gave ther oath *de fidei administratione.*

The which day Robert Haliday in Stitchill is decerned to pay to Alexander Hislop ther the soun of 14lib. Scots as the pryce of ane Naig bought and receaved be the Defender fra the Complainer at Kelso Fair last In respect the said defender being lawfully summoned oft tymes called and not compearing was holden as confest. (110¹)
1711, Nov. 19.
Nag £14.

The which day James Turnbull in Stitchill is assoilzied from ane Ryot and Blood alledged comitted be him upon Thomas Pearson ther In respect of the defenders oath being referred therto by the persewer. Riot assoilzied.

The which day anent the claim persewed at the instance of Alexander Hislops against Andro Watsons and Thomas Hoggart being referred to James Dicksons and John Younger They ordained the said Andro Watsons and Thomas Hoggart conform to ther severall propositions to pay to the said Alexander Hislop 7lib. 10sh. Scots money which is ordained. This Sentence to be extracted with expenses conforme. Arbitration.

Gulielmus Pringle Notarius Publicus cler.

Curia legitime affirmata.

The which day Andro Hoggart caryer in Stitchill is judicially decerned to pay to Adam Hoggart caryer ther the souns of money following for the causes efter specified viz.,—42sh. Scots money borrowed ane year since Item 20sh. money forsaid as ane Cariadge of meal to Edinburgh the tym forsaid Item (110²)
1712, April 30.
Debts.

3lib. 15sh. money forsaide uplifted be the defender in name of the Complainer from ane person in Edinburgh for which he made no Compt to the Complainer extending to six pounds seventeen shillings money forsaide In respect the said defender being lawfully summoned oft tymes called and not compeiring was holden as confest.

Relief of Cau-
tionry.

Hume.

The which day anent the Lyble persewed at the instance of George Aitchison merchand in Stitchill against James Turnbull tennent ther Mentioning that wher about 16 years since or therby the said defender became cautioner for the Complainer for payment to the deceast Adam Turnbull sometym indweller in Home brother to the defender of the soun of 10lib. sterling money principall with annual rents and expenses contained in a Bond granted be the said Defender as principall and the Complainer and Andro Walker in Kaimflat conjunctlie and severallie as cautioners for the said defender to the said deceast Adam Turnbull And trew it is that Turnbull hes raised ane Writt against the Complainer and intends to apprehend and secure hes person and effects in England aye and till payment be made of the said debt as the Complainer is certainly informed Therefore humbly craves your Lordship will decern and ordayne the said defender to release the Complainer from his said cautionry and of all damage and expenses he may incur ther through As the Lyble bears which the said Judge and Barron taking to consideration decerns conform to the Lyble and ordains extract hereof when ever the Complainer shall instruct and document that he has been distrest for the debt above mentioned and payed the same.

(111)
1712, Nov. 8.

Ane Head Barron Court holden at Stitchill Kirk by the Right Honourable Sir John Pringle of Stitchill Knight Barronnett Heretable Proprietor of the Lands and Barronnie therof upon the eighth of November 1712.

Curia legitime affirmata.

5 capfuls meal
10s.

The which day Andro Hogart in Stitchill is decerned to pay to Elspeth Paterson ther eight shillings Scots as the remainder of weaverwork wrought be the deceast John Paterson the complainers father to the defender ane year since Item 10sh. money forsaide as the pryce of 5 capfulls of meall of

bountith Item seven pence as the pryce of half a peck of oatmeal half peck 7d.
ex confessione.

The which day Alexander Gardiner weaver in Stitchill is Blood and riot
£50.
 unlaid in 50lib. Scots for ane Blood and ryot comitted be him
 upon Adam Hyslop residenter in Lothian within Margaret
 Clarkes house.

The which day James Stevenson tenant in Home Byres is Removing a
horse £10.
 amerciat in 10lib. Scots money for violently at his own hand
 taking ane horse out of ane draught belonging to Robert
 Pringle merchant in Home the last Spring In respect of his
 own confession.

The which day George Hammilton in Stitchill and Patrick Refusing pledge
1s. sig.
 Glasgow ther ar unlaid ilk ane of them in ane shilling sterling
 the said George Hammilton in refusing to take a pledge and Taking away a
poynded horse
1s. sig.
 the other for taking away his horse at his own hands efter it
 was poyndit according to their own confessions.

Gulielmus Pringle Notarius Publicus cler prædict. curiæ.

Curia legitime affirmata.

The whilk day William Watson in Stitchill is judicially (1112)
1713, May 30.
 decerned to pay to John Lindores in Home the soun of Twenty Hume.
 four pounds Scots money seven shillings and six pennies as ane Fee 1 year
£24 7. 6.
 years fee wrought be the defender to the Complainer three
 years since In respect of the defendars confession allowing
 detention in the defendars hand for seven days work till ye
 next Court day.

The which day Sir John Pringle Knight and Baronet sitting Absolved.
 in judgment hes absolved William Hope herd to John Younger
 miller at Stitchill from the claime persewed at James Watsons
 walker his instance against him for twenty six shillings Scots
 apprysed be the Bourlae men for alledged damnage sustayned
 be the said James Watsons by the said William Hopes neglect
 conform to ane note of apprysing produced In respect of the
 persewers refusal to depone being deferred thereto by the
 defender.

The which day Thomas Hogart in Stitchill is judicially Debt.
 decerned to pay to John Mack Tennant in Gordon Mains the
 soun of Ten pounds Scots money as the remains of the pryce
 of certain sheep bought and receaved be the defender from the

complainer 3 years since In respect of the persewers oath being deferred therto by the defender.

Mare.

The which day William Blackie Tennant in Parkend is decerned to pay to Robert Hopper Tennant in Idenmith the soun of 24lib. 1sh. Scots money as the remainder of the pryce of a meer bought and receaved be the defender from the complainer at St. James Fair last which should have been payed at Mertimes last In respect the said defender being lawfully summoned to have compeared this day and place oft tymes called and not compeiring was holden as confest.

Debt.

The which day John Underwood wright in Stitchill is judicially decerned to pay to Robert Thomson servant to John Younger tennent in Stitchill the soun of 9libs. Scots money borrowed and receaved be the said defender from the complainer 2 years since In respect the defender being lawfullie summoned oft tymes called and not compeiring was holden as confest.

Debts.

The which day Patrick Grigor in Stitchill and David Broune sklaiter ther is judicially decerned to pay to Robert Pringle merchant in Home the souns of money following for the causes efter specified To witt the said Patrick Grigor the soun of 24sh. 6d. Scots money which the defender became debitor to the complainer for Margaret Black 3 yeirs since Item 16sh. money forsaid as ye remainder of the pryce of Lint seid comptid and reckoned betwixt the complainer and defender this day The said David Brown 28sh. money forsaid for merchandise goods six years since In respect the said defender being lawfullie summoned oft tymes called and not compeiring was holden as confest.

Lint.

Mare £3.

The which day William Blackie Tennent in Park End is decerned to pay to Alexander Hislop Tennant in Stitchill 3libs. Scots money as the cost of ane mear which was payable at St. James Fair last In respect of absence being lawfullie summoned for that effect.

Dry-stone
dyker.

The which day John Browne cowan in Stitchill is judicially decerned to pay to John Smith smith ther the souns of money following for the efter causes specified To witt 3libs. Scots money as ye pryce of halfe a bolle bear bought and receaved be ye defender from ye complainer 6 years since Item 56sh.

½ boll beare £3.

Scots money forsaid as the pryce of halfe a boll of oats bought $\frac{1}{2}$ boll oats 56s. and receaved at the Time forsaid Item 16libs. money forsaid as ye pryce of 10 pks of oatmeall bought and receaved 4 years ^{10 pecks meal} $\pounds 16$. since In respect of absence being lawfullie cited.

Gulielmus Pringle Notarius Publicus cler.

Ane Head Court halden at Stitchill Kirk Be the Right Honourable Sir John Pringle of Stitchill Knight Baronnett Heretable Proprietor of the Lands and Barronnie therof upon the 14th day of November 1713 years. ⁽¹¹³⁾ 1713, Nov. 14.

Curia legitime affirmata.

The which day Robert Haliday in Stitchill is judicially ^{Plowing} $\pounds 3$. decerned to pay to Alexander Hamilton in Maynrig the soume of 3libs. Scots money resting for plowing of certain lands possest be the defender 3 years since In respect of the defenders acknowledgement that the soum lybelled is owing.

The which day George Aitchison elder merchant in Stitchill is unlaid in 10libs. Scots money for ane Ryot comitted be him upon Josua Locke gardener at Neuton and his brother *ex confessione* and is assoilzied from the Blood in regard not proven as also James and George Aitchison younger ar unlaid in Ten pounds Scots for contumacy and ordayned to be cited to the next Court day. ^{Contumacy} $\pounds 10$.

The which day Adam Hogart caryer in Stitchill is judicially ^{Debt.} decerned to pay to Mr. John Dickson Minister at Lantrive the soume of 32 pounds 6sh. Scots money as the pryce and worth of certain victual bought and receaved be him from the Complainers father 17 years since or therby In respect the said defender being lawfully summoned to have compeared this day and place oft tymes called and not compeiring was holden as confest.

The which day it is statute and ordayned that in all tyme comeing the mylne but not the houses belonging to it be furnished with strae be the Tennants proportionally to the husband lands within the Barronnie ordaining them to carry the said strae according to their proportions to the Mill, and that the said Mill be furnished with divots proportionally thro' the Barronnie conform to the husband lands. But ^{Act anent the} $\pounds 10$. Mill.

ordayning that the Millar both cast and lead the saids divotts upon his own charges.

Divotts.

Act anent furnishing of divotts to the coat houses Manses and houses belonging to it Mill and Teynd barne Malt barne and kiln and generally other houses within the Barronnie that may neid reparation.

Bourlaemen.

Item it is statute and ordained that the Burlaemen meit twice in the yeare viz. the first Saturday of March and the first Saturday of October at which Courts of the Bourlaemen any possessors of the houses above written may give in accompt of what divotts they need for repairing their houses and the Bourlaemen are ordered to divyde and proportion the same in the most convenient and equal manner to all concerned amongst the severall husbandlands of the Barronnie including therein Queenscairne Sweithope and the Park End but not the inclosures of the Craigend.

Fencing.

Act ordaining all such as put any horse or other beasts upon the Hall hill to concur in fencing it so as it adjoins to the fourth aikers Including therein that part of the fourt Aiker presentlie possesst be John Younger and ordaining the wholl residents within the Baronie to concur for mending of ways digging of wells or any other thing of that kind.

Wells.

Gulielmus Pringle Notarius Publicus cler.

(114)
1714, May 2.

The which day David Brown sklaiter in Stitchill and Issobell Edmonstoun his spouse is decerned to pay to Margaret Clark ther 4lib. 5sh. Scots money for drink furnished be the complainer to the defender a year since In respect of absence being lawfully summoned.

(115)
1714, Nov. 6.

Ane uther Head Barron Court halden at Stitchill Kirk Be the Right Honourable Sir John Pringle of Stitchill Knight Barronet Heretable Proprietor of the Lands and Barronnie ther upon the 6th day of November 1714.

Curia legitime affirmata.

Ale.

The which day Agnes Lamb relict of the deceast Thomas Underwood wright in Stitchill is judicially decerned to pay to Margaret Black in Stitchill the soume of 3sh. sterling

for aill furnished to her 3 years since In respect to the persewers oath being deferred therto be the defender.

The which day Issobell Pringle in Stitchill and James ^{Debt.} Wilson her husband for his interest is decerned to pay to Robert Givan Tennent in Sweethope the soun of 6lib. 6sh. 8d. Scots money for certain oats bought and receaved by the defender fra the complainer 3 years since In respect the defender being lawfully summoned oft tymes called and not compeiring was holden as confest.

The which day George Hammiltoun in the Hill is decerned to ^{Wool.} pay to . . . Whyte skinner in Kelso 43sh. and a farthing Scots money for wool bought and receaved be him from the complainer ane year since In respect of the Defenders confession. Payed at the barr.

The which day all Acts are renewed anent of keeping of ye ^{Swine.} swine and funder dischairges keeping of swyne at anyrate excepting within crooves and clos houses.

Stitchill Aprylle last 1715.

Curia legitime affirmata.

(116)
1715, April 30.

The which day Sir John Pringle of Stitchill Knight and Bar- ^{Debt.} ronnett sittand in judgment hes decerned and ordained John Brown in Stitchill to pay to Robert Thompson ther the soume of six libs. Scots money borrowed and receaved be the defender from the complainer 6 years since or therby In respect the said defender being lawfully summoned oft tymes called and not compeiring was holden as confest.

The which day Andro Watson Margaret Lithgow Alexander ^{Whins.} Johnstoun Jainet Airmstrang Margaret Hopper Agnes Ker Robert Purves and Issobell Phaup cotars in Stitchill are ilk ane of them amerciati in six pence a [piece]. In respect they being conveyned at the instance of the Procurator ffiscall for cutting of whins in the whinnie park efter they were discharged and the defenders being all lawfully summoned to have compeared this day and place oft tymes called and not compeiring wherfor the Judge decerned in manner forsaide.

As also the said day George Wilson and John Millar in ^{Not proven.} Stitchill ar judicially absolved from the forsaide Lyble and complaint in respect not proven that they had taken away any

whins after the prohibition. The which day John Lowrie in
Baron Bailie. Queenscairne is appointed to be barron-baillie.

(117)
1715, Dec. 10. The Court of the Lands and Barronnie of etc. upon the
10 December 1715. *Curia l. aff.* etc.

White Nag
£24. The which day John Millar in Stitchill is judicially decerned
to content and pay to Alexander Hislop tennant ther the
soume of 24lib. Scots money as the pryce of ane whyte naig
bought and receaved be the defender from the complainer at
Candlemas last which should have been payed at first day of
May last wherof he refused payment In respect the defender
being lawfullie summoned oft tymes called and not compeiring
was holden as confest.

Ewe Hog 40sh. The which day Thomas Bosuall herd in Queenscairne is
judicially decerned to pay to Alison Lawrie ther the soum of
40sh. Scots money as the value of ane eu hog lost be the de-
fender pertayning to the complainer which was delyvered to
the defender to be herded In respect of the defenders confessionne.

Riving out
balks. The which day the said Sir John Pringle sittand in judg-
ment apoynts and enacts that hereafter no Tennent or possessor
of Land rive out baulks or any part of them or any peice of
gras ground that hath not been in use to be tilled befor As
also that no possessor of Land herefter mow down the stubble
of ther corne land efter the corns ar reaped with the hook and
especially that none mow the stubble of ther pies of ground
whether shorn or unshorn under pretence that the crop failed
and that the same was overgrown with grase under the penalty
of 40lib. Scots to be payed be the transgressors such as to this
and the artickle above of riving out balks.

Meal. The said day Issobell Pringle in Stitchill is decerned to pay
to William Dickson Tennent in Oxmoor 3lib. Scots money as
ye remainder of the pryce of a stone of meall In respect of
absence.

Bourlamen. The which day John Millar John Thompson Andrew Sheill
Patrick Glasgow and Peter Grigor was addit burlamen who
gave ther oathe *de fideli*.

(118)
1716, May 12. May 12 1716.
The said day George Brown in Hare heuch was appointed

officer for that part of the Barronnie of Stitchhill which lies within the sherifdome of Berwick.

The Court of the Barronnie of Stitchhill being ane Head Court etc. upon the 3rd day of November 1716 *Curia* etc. (119)
1716, Nov. 3.

The which day the said Sir John Pringle sittand in judgment hes appointed and enacted as follows:—Whereas frequent complaints hath been made by such as use to hire ther horses for money that they ar not able to cary divots from the remotest marches wher they are usually casten to the coat houses in the toun of Stitchhill at the old and accustomed rate of 11lb. Scots the 1000; Therfor for ease and remedy hereof it is appointed and enacted that in all tyme comeing so long as this Act stands unrescinded the manner of affording divots upon the respective tenements shall be determined as follows viz., for Queenscairn all along the south side of the hill from the west end of it to the east syde of infield including little muire lying upon the east syde of the said infield and no farther Item for Runningburn to the east end of Carriage of
peats £1 per
1000. New rates. Brewer's acre. and no farther Item for Fleemrigg to the east end of the bog lying upon the south side of the Eister Loch called Paddon Paddon Loch. Loch Item for the Main rig from the west end of the wester meadow up and down and no farther except the . . . mylne to which divots may be led from the remotest part of the Mainrig.

Item for the Park End anywher within the eastmost division Galalaw. of the Galalaw Enclosures and no farder. With this provision always that the Tennents possessors of these respective rouns shall have it in ther choyce when the cast of the divots is made to order it in the bounds above mentioned or in the remotest marches ar anywher else without the said bounds or if they choyse this last that the burden of carying the divots either in wholl or in part shall ly upon themselves at the old rate of 11lb. per 1000 but if they keep to the bounds above prescrybed they shall not be lyable to the burden of leading them but that shall fall upon the small possessors of the town who have horses and ar in use to let them out for hyre. The Croftheads, barnyard and Mayns are not here mentioned becaus the leading them from the remotest parts of these rouns is easy enough.

Humebyres.

The which day John Millar in Stitchill is judicially decerned to content and pay to John Lamb servitor to John Stevenson Tennent in Homebyres for leading stones at Smailholm bog at the late work ther at Lambes bygane a yeare being employed be the Defender wherof he promised payment *ex confessione rei*. Extracted 21sh. of expenses of pley.

3 pecks meal
45s.

The which day Peter McGregor is decerned to pay to George Dickson under miller at Stitchill milne the soume of 45sh. Scots money as the aggryed pryce of three pecks oat meall bought and receaved be the defender from the complainer two years since In respect he was lawfully summoned oft tymes called and not compearing was holden as confest.

Debt.

As also David Broun sklaiter is decerned to pay to the said George Dickson the soum of 33sh. money forsaied as the pryce of certain meall resting 4 or 5 years since In absence being lawfully summoned to this day for that effect.

Service to the
Barony.

The which day all the Tenants and cottars ar ordained to meit on Monday nixt at 8 in the morning with John Younger for adjusting his claime annent his service done to the Barronnie last year and appoynts intimation hereof at the Church Door under the penalty of 5li. for each absent.

Riot £5.

The which day John Miller Tennant in Stitchill and Margaret Turnbull his spous ar americiat in 5lib. Scots money for ane Ryot committed be them on John Donaldson complainer his son and his spouse as also the said Margaret Turnbull is americiat 50sh. Scots for ane blood comitted be her upon Issobell Haitly complainers wyfe. *Ex confessione rei*.

Blood 50s.

Bound over.

And both parties John Millar and John Donaldson per-sewers and defenders are judicially enacted *hinc inde* to keip the peace and good behaviour ane with another in tyme comeing that they, ther wyves children families and the goods geares and possessions shall be harmless and skaithless at one anothers hands under the paine of 5lib. Scots money for each transgression herof they their wyves children families servants shall be found guilty by and attour reparation of damages.

Penalty £5.

The which day William Turner and Agnes Younger his spouse and John Miller and Margaret Turnbull his spouse ar judicially enacted *hinc inde* to keip the peace and good

behaviour ane with another in tyme comeing That they their wyves children families and other goods geares and possessions shall be harmless and skaithless at one anothers hands under the pain of 5lib. Scots money for each transgression herof that they their wyves children families or servants shall be found guilty by and attour reparation of the damnages.

November 10 1716. Court lawfully fenced.

The which day Issobell Hoggart in Stitchill is americiat in 5libs. Scots money for certain scandalous expressions against Barbara Wilson and Issobell Henderson her daughter In respect of her confession. (120)
1716, Nov. 10.
Scandal £5.

And lykewyse the said day Issobell Henderson spous to Alexander Hislop in Stitchill is americiat in 5lib. Scots money for scandalizing the said Issobell Hogart in her good name by calling her ane Common hour and affirming that she had parted with bairne ane twelve months since and severall other opprobrious expressions and imprecations In respect the Lyble was sufficiently proven by famous witnesses.

The whilk day the said Issobell Hagart is ordained to find caution for her good behaviour with her nighbors in tyme comeing under the penalty of 5lib. for each transgression. Find caution
penalty £5.

And lykewyse Inacts the 2 Issobell Hendersons and Alexander Hislop her husband for his interest to keep the peace and good behaviour with ther nighbours under the pain of 5lib. Scots for ilk transgression.

The which day Jennot Rutherford spous to James Wilson is judicially decerned to pay Margaret Broune daughter to the deceast John Brown in Stitchill the soun of 2lib. 10sh. 8d. Scots for the causes contained in the said decret In respect the defender being lawfully summoned oft tymes called and not compearing was holden as confest. Debts.

The which day Simeon Marjoribanks wright in Stitchill is americiat in 1lib. 10sh. Scots for speaking in Issobell Hogarts cause after he was discharged. Contumacy
£1. 10.

May 8 1717.

Curia legitime affirmata.

The whilk day William Hop herd to John Younger Tennent

(121)
1717, May 8.

Riot Deference
ment £10.

in Stitchhill and Issobell Purves spous to Robert Hogart ther ar ilk ane of them americiat in 10lib. Scots money viz. the said William Hope for ane Ryot and the said Issobell Purves for ane deforcement committed upon John Lawry Barron Officer *Ex confessione rei.*

Scandal £10.

The which day Issobell Purves above designed being persued at the instance of Issobell Learmont spous to Robert Purves in Stitchhill with concurrence of the Procurator ffiscall for ane scandall in calling the persewer whoor theif and loun was americiat in 10libs Scots money for contumacy.

(122)
1717, Nov. 2.

The Court of the Lands and Barronnie of Stitchhill etc. upon the 2nd day of November 1717. *Curia* etc.

Assoilzied.

The which day anent the Lyble of scandal persued befor the said Judge at the instance of William Watson Tennent in Stitchhill with concurrence of the Procurator ffiscall against James Turnbull Tennant their Mentioning that when in August last the Defender most unchristianly slandered the complainer in his good name and reputation by saying and affirming that the complainer did remove sum march stons and encroached upon his possessions wherby the defender has comited ane slander upon the complainer and therefor ought to be americiat for the said slanderous expressions And for proving therof the persewer adduced severall famous witnesses who being solemnly sworne and purged of malice and partiall councill deponnid negative wherfor the Judge assoilzied the Defender in respect the Lyble was not proven.

Going over
hedge £5.

The which day Joan Innes spouse to Peter Grigor in Stitchhill is unlaid in 5lib. Scots money for going over the Hedge at Craig End Park In respect of her refusal to depone being referred be the ffiscall of the Court to her oath Modified to on sh. sterling besides 6d. to the informer. and 2sh. 8d. for the Lyble.

Modified to 1s.
stg. 6d. to
informer.

Scandal £10.

The which day Joan Haliday relict of Alexander Lowry in Queenscairne Issabell Cramont servant to John Lowrie ther and Issobell Brown ar ilk ane of them americiat in 10lib. Scots money and ordains them to be recited again the nixt Court day In respect they were lawfully summoned to this day to bear witness in the action of scandall persewed be Issobell Learmont

with concurrence of the ffiscall against Issobell Purves and not compearing which thrie fynes are modified to halfe a crown.

The Court of the Lands and Barronnie of Stitchill etc. upon the 10th day of May 1718. *Curia* etc. (123)
1718, May 10.

The which day Andro Aitcheson Cottar in Stitchill is Deb^t. judicially decerned to pay to William Maison Tennant in Neuton milne the soume of 43sh. Scots money as the remainder of certain victuall bought and receaved be the Defender from the complainer ane certain tym bygon In respect of the said defender being lawfullie summoned oft tymes called and not compearing is holden as confest.

The which day John Millar in Stitchill is decerned to pay Cow. to Alexander Gardiner weaver ther the soum of 6lib. 14sh. Scots money as the remainder of the pryce of cow bought and receaved be the said defender from the complainer at Mertimes last Item 5 grots as the remainder of the pryce of certain work with ane peck of hummel corne or 8d. as the pryce therof In respect of the persewers oath being referred therto be the defender. 1 peck hummel
corn 8d.

The which day Patrick Millar in Stitchill is decerned and ordained either to re-enter to Alexander Gardiner weaver in Stitchill his service otherways to pay the soum of 12lib. Scots money to the complainer as damage lybelled sustained by the complainer if it shall be found reasonable. Loss of Service
£12.

The which day Issobell Purves in Stitchill is fyned of new again in 10lib. Scots for contumacy she being lawfully summoned to have compeared this day in the action of scandall persewed be Issobell Learmont spouse to Robert Purves in Stitchill with concurrence of the Procurator ffiscall against her and is ordained to be cited to the nixt Court day. Contumacy
£10.

Ita est attestor ego Gulielmus Pringle Notarius Publicus prædict. curiæ cler.

14 June 1718 *Curia legitime affirmata.*

The which day Robert Pringle fiar of Stitchill in absence of and as having commission from Sir John Pringle of Stitchill his father, sitting in judgement anent the Lyable persewed at the instance of Ninian Gardiner elder and (124)
1718, June 14.
Robert Pringle
Fiar.

younger in Stitchill with concurrence of the Procurator ffiscall against John Millar Tennant ther, Margaret Turnbull his spouse and Margaret Black his mother for bloods and ryots committed be them upon complainer and damage sustained be the said Ninian Gardiner elder for want of his bees and certaine imprecations uttered be the said Defenders against the complainers which being called and the saids defenders and ilk ane of them being lawfully summoned oft tymes called and not compearing Wherfor the Judge unlaid and americiat ilk ane of them in 10lib. Scots for contumacy and ordained them to be cited to the nixt Court day.

Contumacy
£10.

Blood and ryots
£50.

The which day the said Judge sittand in judgment Anent the Lyble persewed at the instance of the Procurator ffiscall against the said Ninian Gardiner elder, Alexander and Ninian Gardiner his sones and John Millar Tennent in Stitchill for certain bloods and ryots committed be them and ilk ane of them *hinc inde* upon others and particularly the said Ninian Gardiner ther for throwing down the said John Millar and beating him most cruelly to the effusion of his blood as the Lyble bears And the said defender Ninian Gardiner younger compearing personally who confest he was guilty of ane blood and ryot committed be him upon the said John Millar Wherfor the Judge americiat him in 50lib. Scots money And fyne the said John Millar of new again for contumacy and absolves the saids Ninian Gardiner and Alexander Gardiner his sone in respect of ther denyall and no probation against them.

(125)
1718, Nov. 15.

'The Court of the Lands and Barronny of Stitchill holden at the Kirk ther be Sir John Pringle etc. upon the 15 day of November 1718.

Curia etc.

3 Stooks
removed.

The whilk day anent the Lyble persewed at the instance of John Dickson taylor in Stitchill against Peter Grigor Tennant ther mentioning that when in Harvest last the said Defender most wrongously lifted off the ground posest be the persewer thrie stoucks of the complainers oats and therefor ought to be decerned to delyver back to the complainer the said 3 stoucks of oats in the defenders possession or else shew ane cause to

the contrair Which being called and the defender compearing personally confest that he took up the corn lybelled out of mistake but alledged the complainer had ane equivalent quantitie of his for it The veritie of which assertion he referred to the complainers oath who deferred it to the defenders and the defender having sworn upon the assertion above he is therupon assoilzied.

The which day John Cairncrose herd at Queenscairne is judicially decerned to pay to Joan Atkine spouse to Robert Whytlie in Darnchesters in name of Jennet Aitken her sister the soun of 3sh. sterling as the remainder of ane fee wrought be the said Jennet Atkine to the defender 3 years since with ane pair of shoes or 2sh. sterling as the pryce thereof ane ell of harden or four shillings Scots as the pryce therof with ane pund of butter for greising the said Jennet her wooll or 4sh. as the pryce thereof In respect the Defender being lawfully summoned oft tymes called and not compeiring was holden as confest.

Shoes 2s. stg.
1 ell harden 4s.
Scots.

1lb. Butter 4s.

The which day James Turnbull Tennant in Stitchill is decerned to pay to John Smith ther the soumes of money following for the causes efter specified viz., the soun of 7lib. 12sh. Scots money as the remayn of the pryce of a cow bought and receaved be the defender from the complainer 6 years since Item 4lib. money forsaid for shoeing ane pair of cairt wheels to the defender and mounting the rest of the furnitur belonging to the cairt Item 8d. for iron payed to Andro Inglis upon the Defenders accompt Item for ane harle and a brandon making in respect of the persewers oath being referred therto by the defender and assoilzies from the rest of the articles lybelled.

Shoeing.
Cart Wheels
etc. £4.

1718 December 20 *Curia legitime affirmata.*

The which day anent the Lyble persewed at the instance of the Procurator ffiscall against William Japhrae Tennant in Homebyres Alexander Knox his servant and John Wait his last servant and now to John Steinson tennant ther Making mention that wher the said defender or ane or other of them spuilzied and away took off the lands of Homebyres ane grey mair when the same was pasturing upon the stuble belonging

(126)
1718, Dec. 20.
Taking Away
grey mare £5.

to Richard Archer in Home and did ryde thereon to Middlestott being 7 miles distant wherby they have committed ane spuilzie and therfor ought to be unlaid aud amerciat and otherways punished for the said transgression Which being called before the said Judge and the said defender Waitt compeiring confest the fact In respect wherof the Judge fyned him in 5libs. Scots for the spuilzie and injury comitted be him. And assoilzies William Japhrae and the rest of his servants in regard the said defender Waitt freed them of having any accession to it and ther was no proof otherways against them And that but prejudice to the ouners claim wherever he may persequ the same.

Casting Turf.

The which day the said Sir John Pringle¹ of Stitchill sittand in judgment appoints and enacts that in all tyme comeing no Tennent or Possessor within the Barrony of Stitchill cast Turff for fewell upon ground carying grass tho' never so coarse such as that called Syke ground or ground fit for affording fail and divot for houses becaus of the prejudice that is therby done to the gras and also that such ground ought to be reserved and as much spared as possible for the furnishing of fail and divot allenerly for the use of the houses within the Barronny as well in building new ones as repairing the old and that under the penalty of 5lib. Scots to the transgressors of this Act *toties quoties* but prejudice always to the Tennents and possessors forsaid To make use of the Muire ground within ther respective possessions for fewell and but prejudice to the Tennents of the Outsteads to make use of green Turff or fail that may be necessary for maintaining ther dykes but this no ways to be extended to the yards and dykes of the town nor even such of the Outsteads wher stones can be easily had. And therfor dischairges the doing any such work till the same be viewed and permission obtained for that end And this likewyse to be observed under the forsaid penalty of 5lib. Scots but this Act noways to be extended against such as shall cast up green turff upon their

¹ This is the last occasion on which he is mentioned as presiding at the Baron Court. He had begun presiding on 5th September 1692. His successor was Sir Robert (the second). He begins on 8th November 1721.

grounds in order to the manuring the same and making them the more fitt for bearing corne.

Act ordaining all that keip swine to be careful to keep them off ther nighbours skaith under the pain of Triple Keeping Swine. damages.

The Court of the Lands and Barronny of Stitchill etc. upon the 6 day of June 1719 yeares. *Curia* etc. (127)
1719, June 6.

The which day Peter McGregor is decerned in absence to content and pay to Walter . . . Meillmaker in Home the soum of 10lib. 10sh. Scots money as the remayn of the pryce of ane cow bought and receaved be the defender from the complainer at Kelso Summer Fair last in respect he being lawfully summoned oft tymes called and not compeiring was holden as confest. Hume.

The which day Thomas Smith herd in Stitchill is judicially decerned to pay to Andro Brownlees Tennant ther the soumes of 10lib. Scots money of damage sustained by the complainer through the Loss of ane cow pertaining to the said complainer by the said defenders negligence which was comprysed by the Bourlaemen which being referred to the Defenders oath whether he had thrown ane stone at the cow or not who refused to depone and therfor the Judge decerned in manner forsaid. Loss of cow
£10.

The which day Alexander Gardiner weaver in Stitchill is decerned to pay to George Maison tennant at Neuton miln 3libs. Scots money or the value of the bees and work lybelled which came off from Neuton milne to ane skep belonging to the said defenders upon the first of June instant. Bees £3.

Act dischairging the use of the old road betwixt Croftheads and Queenscairn ground as a parcell of ground marching with Queenscairn upon the eist syde of Croftheads is enclosed that severall persons doe pas thro' the saids grounds upon pretence of the said Road Therfor the Judge dischairges any passing ther in all tyme coming under penalty of fyve pounds Scots for each transgression *toties quoties*. Trespas.

The Courts of the Lands and Barronnie of Stitchill etc. upon the 18 day of May 1720. *Curia* etc. (128)
1720, May 18.

Riot and De-
forcement.

The which day anent the Lyble exhibited the last Court day at the ffsicalls instance against William Lawrie and Alexander Garner of a Ryott comitted by them and some others on which the probation was laid and the same being delayed in respect to the said Lawrie and Garner and being reconsidered finds the saids persons guilty of fighting baiting one of other by the deposition of John Younger finds Alexander Garner guiltie of baiteing the saids William Lawrie deposition of James Turnbull and by the said deposition William Lawrie guiltie of ciseing of the constables staff traileing him with itt and pulling it out of his hand which facts being laid together finds the deposition prove the Ryot in general against them. Therefor amerciats them each in 10lib. Scots money modified the said fyne as to William Lawrie to 5 groats and as to Alexander Garner to 50sh. Scots.

Penalty £10.
modified to 5
groats and 50s.

Contravention
of Arrestment
£10.

The which day John Millar Tennent in Stitchill acknowledged the arrestment by the officer and likewise his contravention but pretended he was ignorant of the haizard therof having corne lying in the mylne for one halfe in the kill and the other halfe in the barne repets this his defence and the fact being proven by his own confession amerciats him in Ten pounds Scots.

The which day William Lawrie gave in a syned accompt of severall artickles extending to 5lib. 12sh. Scots which being referred to his oath of verity he therupon deponed and owned that in the articles about sheveing he owned to the Per-sewer Alexander Garner halfe ane years service takes of 10sh. Scots of the account and attour the rest of the articles to compence with the claime above written and therefore assoilzies the defender from the same.

Whins.

Act dischairging all persons within the Barronny of Stitchill to cutt or pull whins upon the grounds of Homebyres or generally any other places within the said Barronnie without the Tennent's libertie under the paine of 5libs. Scots *toties quoties* and allows the Tennents to take at ther ain hands from the cutters any instruments they may have with them for that end.

(129)
1721, Nov. 8.

The Court of the Lands and Barony of Stitchill holden

within the Kirk therof be Sir Robert Pringle of Stitchell Knight Barronet upon the 8th day of November j^avij^c and twenty one yeares.

Curia legitime affirmata.

The which day John Ker tennent in Stitchill is decerned to Service. pay to Thomas Robertson the sum of three pounds Scots as ane half yeares service which was made to him by the said complainers daughter.

The which day anent the Lyble persewed at the instance of Dyer. William Muirhead servitor to John Scot Dyster in Stitchill absolves the defender in respect of his denyall and noe probatioun against him.

January ye 26th 1722.

The Courts of ye Lands and Barony of Stitchill holden ⁽¹³⁰⁾ 1722, January 26. within ye kirk therof be Sir Robert Pringle of Stitchill Knight Barronet upon ye 26th day of January 1722.

Curia legitime affirmata.

The which day John Brown is decerned either to take back Apprentice. Thomas Pearson his apprentice and fullfill his Indentures [or to repay] ye ten pounds Scots to Thomas Pearson his father which he got as part payment of ye Prentice Fee.

The which day Jasper Atchison workman in Stitchill is Andrew Whale. decerned to make payment to Mr. Andrew Whale¹ Schoolmaster there the sum of one pound twelve shillings Scots money as ye remainder of a greater sum borrowed by ye defender and was holden as confest in respect of his not com-
pearing.

The which day John Scot dyster in Stitchill Mill is personally decerned to make payment to Issobell Baillie widow of Coals-leading and Hay. ye deceast John Donaldson tenent in Stitchill the sum of thirteen pounds four shillings Scots money and that for coals leading and Hay brought from ye complainer in respect of

¹ Son of Andrew Whale, farmer, Yetholm Mains. Born 1694, died 1752. Became schoolmaster of Earlston about 1730.

Lancelot, his son, became rector of the grammar-school at Kelso, and schoolmaster to Walter Scott. Robert Whale, son of Lancelot, became surgeon in the Army. He died and is buried at Lyne, where his father was then schoolmaster.

his being lawfully summoned called and not compearing was holden as confest.

Skaith to coat
or cot [?].

The which John Scot dyster in Stitchill is decerned to pay to John Hamilton meall-maker ther the sum of one shilling sterling for cost skaith and damnage sustained by ye persewer and is referred to ye nixt Court day for a Ryot committed be ye defender.

(131)
1722, July 26.

July 26 1722.

Rottins and
breaking dykes.

The which day George Hamilton and George Atchison Tennents and merchants in Stitchill is americiat each of them in one shilling sterling for pulling and cutting of rottins and breaking down of dykes.

Whins.

Act anent Whins:—Notwithstanding of former Acts That whatever person or persons shall cut or pull whins within ye parish of Stitchill they are to pay for each backfull one halfe pennie and for each horse load two shilling Scots *toties quoties* and that from ye first of November to ye first of August and if without ye said space they doe cut or pull they are to be lybell for the fine which is statute and ordained in ye former Acts.

(132)
1723, Feb. 18.

February 18 1723.

The Court of ye lands and Barony of Stitchill holden within ye Kirk therof be Sir Robert Pringle of Stitchill Knight and Bart and day and date above.

Funeral debts.

The which day John Scott dyster in Stitchill walk-mill is decerned and ordained to pay to George Atchison merchant in Stitchill the sum of three pounds eight shillings Scots money for goods receaved for ye use of ye defenders mothers funerall.

do.

The which day John Scot dyster in Stitchill walk-mill is judicially decerned to make payment to John Underwood wright in Stitchill two pound eighteen shillings and eight pennies Scots money for an coffine, Bell,¹ graff-making.

¹ This means ringing the dead-bell to announce the death of a person ; probably the small hand-bell, not the church bell.

February 21, 1723.

The Court of ye Lands of ye Barony of Stitchill holden within ye kirk therof be Sir Robert Pringle of Stitchill.

(133)
1723, Feb. 21.

The which day anent ye claim persewed be John Scott dyster in Stitchill mill against John Lawrie tenent in Stitchill for a ryot committed by him. The defender was allowed this day to aduce witnesses for his exculpation The persewer being called, ye complainer John Scott being absent is supposed to have deserted ye dyet against ye defender therfor assoilzies him from any claim of damnages he may pretend to by being beat by ye defender but ye defender confessing ye beating of ye persewer and being found guilty is decerned to pay ten pound Scots of fine.

The which day anent the claim persewed be William Muir-head servant to John Hamilton Dyster in Ednam against John Scot Dyster in Stitchill for twenty four pounds Scots as wages for ane halfe years service wrought for be said complainer and finding the said defender to have an account upon the said persewer consisting of severall articles and there being only made appear to be due to the said persewer the sum of fifteen pounds ten shillings Scots the Judge ordained him to be poulded for the same and in regard the defender alledged that he could aduce witnesses to prove the rest of the articles contained in his charge reserves action to him for that effect as accords.

Half year's
service £24.

Poulded.

May 17 1723.

The which day Alexander Gardiner weaver in Stitchill complainer anent the claim persewed against Patrick Millar merchant ther is decerned and ordained to make payment to the said complainer the sum of eight pounds Scot money by Bills drawn upon and accepted by him.

(134)
1723, May 17.
Bills.

The which day anent the claim persewed by the Procurator ffiscall against Rodger Dickson, Janet Dods, Henry Gill, Agnes Cuthbertson, Lilly Fairbairn, John Richardson, Issobell Tait, John Halloe, Alison Halie, Issobell Hagger, Margaret Wood, Alexander Gray, Robert Waddell, Gideon Davidson, Andrew Watson, Margaret Tayler, Janet Smith, John Browne, Agnes Maddar, Margaret Donaldson, and Margaret Scott, for

Whins.

pulling and cutting of whins which being against the Acts of the Baron Courts each of the above persons is decerned in twelve shillings Scots and likewise americiat in twelve shillings Scots money forsaied for Contumacie.

Meal.

The which day Jean Greig indweller in Stitchill and William Muirhead for his interest is decerned and ordained that they make payment to John Miller ther the sum of five pound eighteen shillings Scots for meal bought from the complainer and received by the defender.

Lintseed.

The which day John Scott Dyester in Stitchill is ordained to make payment to James Litel merchant in Hume the sum of two pound Scots for Lintseed.

Scandall.

The which day anent the Lybell persewed by Jean Gray against Janet Armstrong for scandall and in regard the per-sewer could not prove the same assoilzies the Defender.

(135)
1723, Nov. 30.
Riot £50.

1723 November 30.

The which day Sir Robert Pringle sitting in judgment decerned and ordained James Broomfield and Thomas Anderson servants in Homebyres for a ryot committed on each other in fifty pounds Scots.

(136)
1724, May 19.
Claims.

1724 May 19.

The which day anent the claim pursued by Thomas Trotter servant to Sir Robert Pringle of Stitchill against James Aitchison there for six pounds six shillings Scots as the pryce of a certain quantity of meal due to the pursuer by the defender and the said defender being lawfully summoned and not compearing decerns him to make payment of the above charge.

The which day Jasper Atchison in Stitchill is decerned and ordained to make payment to Will Wilson servant to John Given tennent in Sweethope the sum of seventeen pound fourteen shill. Scots money as the remainder of the price of the pursuers growing.

(137)
1724, Nov. 7.
No lybel.

1724 November 7.

The which day Sir Robert Pringle of Stitchill sitting in Judgment and no Lybell being brought in before him. adjourned till next term.

1725 May 18.

The which day Jasper Atchison in Stitchill pursued George Hamilton younger there for scandal in speaking publicly that he had helped up with the dead¹ whilk being called and purged of malice and partial counsell viz. Andrew Burn indweller in Stitchill and John Watson there, and Robert Scott there, and not proveing the same as whereof the defender. . . .

The which day anent the Lybell pursued by Alexander Gardiner weaver in Stitchill and eldest lawfull son to the deceast Ninian Gardiner weaver there, with concurrence of his sister upon Ninian Gardiner lawfull brother to the pursuer that whereas the effects of the deceast Ninian are yet in the hands of the Defender requires that an equal division may be made of the effects the Defender craves another day to adjust his accounts the Judge finding the same relevant granted it and allowed them the next Court day.

The which day George Hamilton, David Hogarth, John Miller, James Aitchison, John Richardson, Simon Marjoribanks, Joan Innes, and Alexander Hyslop indwellers in Stitchill were decerned and ordained to make payment to Andrew Whale schoolmaster there, of their several sallaries and likewise were americiat each in the sum of ten shillings Scots for not due payment of the same as is enacted in the Barony Court Books.

1725 May 18.

The which day anent the Lybell pursued by Jasper Atchison in Stitchill against John Stevenson wright there for removing of some March stones that were sett by the Burlawmen betwixt their yards the Judge remits the complaint to the said Burlawmen and ordains them to inspect the ground and to make a report the next Court day.

The which day anent the claim pursued by John Stevenson wright in Stitchill against James Atchison there, for swearing that he would put a pen-knife in him, the same being proven against the defender by Margaret ffairbairn in Stitchill and Margaret Henderson there, they being purged of malice and

(138)
1725, May 18.
Resurrection-
ists [?].

Estate of
deceased.

Non-payment
of Schoolmaster
ros. penalty.

(139)
1725, May 18.
Removing
march stones.

Keep the peace
£10.

¹ This appears to be an allusion to the trade of the resurrectionist, or possibly to some form of summoning the spirit of the dead.

partial counsell, decerned the Defender in Ten pounds Scots and likewise ordains him to enact himself in the Baron Court Books of Stitchill to keep the peace with the complainer John Stevenson and that him and his family shall be keep skaithless by him and any of his family fact and deed and this under the penalty of fifty pound Scots.

(140)
1727, Nov. 6.
Clerk.

1727 Stitchill November 6.

John Lawrie Tennent in Queenscairn sitting Judge. There was introduced by Charles Potts Nottar in Kelso ane Commission from Sir Robert Pringle of Stitchill to be Clerk of said Barony which was read and he gave his oath *de fidei*. Charles Potts; John Lawrie.

Officer.

Thereafter John Underwood wright in Stitchill was nominat Officer of ye said Barony who being present accepted thereof and gave his oath *de fidei*. John Underwood; John Lawrie.

Adjourned.

Thereafter the Court lawfully fenced and affirmed in the usuall manner and all actions were called find them adjourned to the next lawfull wairning. John Lawrie.

Commission to
Charles Potts.

Followes the Commission granted to the said Charles Potts:—

Stitchill 8th November 1727.

Haveing occasion for ane Clerk to the Barrony of Stitchill and haveing ye experience of your qualifications for exerceeding that office; These ar therefore authorising and empowering you Charles Potts Nottar in Kelso to be Clerk of ye said Barrony of Stitchill with all priviledges thereto belonging and to execute and exerce the said Office of Clerkship from this date with the usuall priviledges as any former Clerk did or might have done and the emoluments and perquisites whereto belonging to apply to your own proper use and this to continue dureing my pleasure for doeing whereof This I declair to be ane sufficient warrant and Commission from (signed Robert Pringle) to Charles Potts, Nottar in Kelso.

(141)
1727, Nov. 14.

Stitchill 14th November 1727 Court for ye Penall Statutes and other Actions called.

The forty
husband-lands.

The Account of the Fourty Husband-lands in Stichel conform to the several Divisions thereof enacted in the year 1715:—

Queenscairn four lands.

Runningburn, two lands one quarter.

Fleemrig or South Quarter, two lands one quarter and an half.

The Mains, three lands and an half.

The Fourth Acres, one land and an half.

Three Akers of Kirk Land lying within the ground of the said half.

Fourth Akers of land being one quarter of land.

A piece of farm land lying between the carter gate and Orchard road one quarter and a fourth part of a quarter.

Croftheads, one land and a half.

The Croke Quarter, two lands and a half.

That piece of Outfield called the Eighteen Riggs, half a quarter, and the fourth part of a quarter.

The Kirklands with Caldron Brae, three quarters; the said Caldron Brae being estimate an aker, of the said three quarters.

The Westend of the Fourteen Lands, of which that piece of Smithy land called the Long Riggs makes one land.

Croft Hilly, broad acres and grass riggs one quarter and a half.

Amers Knows, lying within the said west end, half one land.

Likewise lying in the said west end in the Ten Lands above mentioned are comprehended the two husband lands and a half of the Main Rigg and three quarters of the Miln.

The Over town of Stitchill ten lands which are included in the inclosers of the Park End, of the Craig End, and others about the House of Stitchill with the East Craig and a small piece of the East Craig End set into the Croftheads as also Sweethope.

Conform to this Division the several Tenements as possessed at present pay of the Schoolmasters Salary as follows at the rate of one pound Scots upon each husbandland:—

Schoolmaster's
Salary rate.

Queenscairn four lands	4	00	00
One quarter and a half of the Overtown Eastrig	0	07	06
	<hr/>		
	4	07	06

Runningburn.	Runningburn, Merlaw Bank two lands and ane quarter	2	05	0
	Eighteen Rigs and half quarter and fourth part of ane quarter	0	03	9
	Fourth part of one acre in the Croke	0	00	10
	The half of the Croke outfield half one land	0	10	00
	The Kirklands three quarters wanting an acre	0	13	04
	Runningburn, sum	3	14	11
Flemrig and South Quarter.	Flemrig and South Quarter, two lands one quarter and half,	2	07	06
	Half of the Croke outfield,	0	10	00
	An acre of Kirklands called Caldron Brae	0	01	08
	A piece of the Croke infield called ye Bulle, estimate to an acre	0	01	08
	The half of that piece of the Croke infield lying upon the west end of Oatrig	0	00	10
	Flemrig, sum,	3	01	08
Infield Croke.	Infield Croke, quarter one husband land one quarter and half a quarter, sum,	1	7	11
	Mains, three lands and a half, sum,	3	10	00
	Ten half fourth acres at 2 shill. per half,	1	00	00
	Two acres within the said half fourth acres possessed at present by Adam Henderson and George Hamilton, sum	0	03	04
Carter Gate and Orchard Road.	Land lying between the Carter gate and Orchard road one quarter and one fourth part of a quarter, possessed by John Underwood, one acre	0	01	08
	By John Brunton the rest,	0	04	07
	This ground, sum	00	06	03
Croftheads.	Croftheads one land and an half	01	10	00
	With one half quarter of the overtown east craig and near half an acre of the craigend	00	03	06
	Croftheads, sum	01	13	06

A Parcel of ground in the West End of Nether			
Stitchel called Longrigs . . .	01	00	00
Bailies knowe or Barn yards five lands three			Baillie Know
quarters west end of nether Stitchill .	05	15	00
Amors Knows half of ane land . . .	00	10	00
Miln land with a parcel in ye Angry Croft an			
quarter and a half . . .	00	07	06
Six half fourth acres with an acre among them .	00	13	08
Three quarters of an land in the west and east			
into the Miln . . .	00	15	00
Bailis Know, sum . . .	08	01	02
Mainrig two lands and an half in the west end			
of Nether Stitchill. Mainrig sum, .	0	10	00
Parkend being part of the ten lands in the Over-			
town being an husband land and an half a			Park End.
quarter and an half quarter . . .	01	17	06
Sweethope two lands, sum, . . .	02	00	00
The inclosures lying east from Stitchill hill being the rest of Inclosures.			
the ten lands in the Overtown, Oxcroft, the east Craig, and			
the small parcel above mentioned; at present let into			
Queenscairn and Croftheades,			
Inclosures, Craigend, sum, . . .	5	11	6

1735 May 13.

William Atchison, Runningburn, Alexander Sim, John ⁽¹⁴²⁾ 1735, May 13.
Hamilton, Robert Heymers in Stitchill were added to the
number of Birlymen and gave their oath *de fidei*.

1735 Stitchill October 9.

The qlk day and place there was an Court of the 9th day ⁽¹⁴³⁾ 1735, Oct. 9.
in the Barony of Stitchill holden by Sir Robert Pringle
heritable proprietor of the said Barrony.

The which day Ninian Gardiner weaver in Stitchill was at ^{Order to}
the instance of the Procurator ffiscall indicted of several ^{remove.}
theftuous actions said to be committed by him at several

times and different places anent which several witnesses being examined the further consideration therof was referred to the next Court And in the meantime he was ordained to find caution for his good behaviour till Whitsunday next qlk time he is ordered to remove himself and family out of the Barrony. The qlk day also Mr. John Beveridge present schoolmaster in Stichill was chosen Clerk of Court.

(144)
1735, Nov. 8.

1735 Stichill November 8.

The which day and place there was a Head Court of the Barrony of Stichill holden by John Laurie tennent in Queens-cairn Bailie of the said Barronny. *Curia legitime affirmata.*

The which day Matthew Short servant to John Smith in Caldron Brae is judicially decerned to pay to John Dickson in Stichell the sum of two shillings sterling.

Anent Ninian Gardiners affair he is ordained to have a Bond of Cautionry for his good behaviour ready within a fortnight.

(145)
1735, Nov. 22.

1735 Stichill November 22.

Curia legitime affirmata.

Ninian Gardiner is decerned and fined in ten pounds Scots for being guilty of a riot and beating Margaret Henderson spouse to James Leithead, taylor in Stichell to the effusion of blood *ex confessione rei*. Thomas Hamilton in Mainridge is decerned to pay two pound two shillings Scots to Thomas Peirson weaver in Stichel being the remainder of a Bill granted to him by ye said Thomas Hamilton.

Yarn.

As to the Lybell pursued by Margaret Henderson spouse to James Leithead in Stichill against Ninian Gardiner weaver there, Importing that the said Ninian has six Syles of her yarn in his possession which he refuses to deliver, the Defender promises to give up the said yarn if two tradesmen may be set to value linen web which he formerly wrought which he agreed to and John Brown and Robert Waddell weavers in Stichill added to the Birlymen for that purpose and gave their oaths *de fide*.

Linen web.

Claim.

Robert Taylor servant to John Millar in Stichill Miln is decerned to pay six pounds ten shillings Scots to Margaret Haitly in Hume.

James Richardson servant to Mr. Walter Scot in Bailly Know is assoilzied from the complaint of Robert Bruntfield in Hume who pursued him for fourteen pound 18 shillings Scots in regard he deponed in the negative therof when it was referred to the Court.

1736 May 15th.

Curia legitime affirmata.

(146)
1736, May 15.

Anent the Complaint given in by Mr. John Beveridge schoolmaster and William Donaldson indweller in Stichill against Mr. Walter Scot tennant in Baillie Know for eating their cornes in winter last by his sheep the same is referred to the next Court day.

Robert Wilson indweller in Stichill is decerned to pay two pounds eleven shillings Scots to William Marshall in Stichill as also one peck of oats and eight fathom of ropes all which upon his own confession is due.

As also William Marshall is assoilzied from a complaint of the above Wilson in regard to the Pursuer refuses to give his oath upon the verity of the complaint only three lib. weight of iron which said complainer charges and is referred to two men.

1736 November 6.

Curia legitime affirmata.

(147)
1736, Nov. 6.

Mr. Walter Scot in Bailly Know is decerned to pay Mr. John Beveridge and William Donaldson for the skaith receaved by his sheep yet superseding the extract of said decreet till next Court against which time Mr. Scot is allowed to prove that other peoples sheep were in that skaith as well as his He having desired time for that effect.

1737 Stichill March 14.

Curia legitime affirmata.

(148)
1737, March 14.

The which day in consideration that Arthur Sim late indweller in Stichill is fled and absconded and that he is resting several sums of money to different persons in the Bounds. Therefore the several persons putting in and proving their respective claims The effects left be the said Arthur Sim are ordered to be roupd and the money raised from their sale

applied to the payment of the said debts by the Bailie of the Barrony.

(149)
1737, May 12.

1737 May 12 Stichill.
Curia legitime affirmata.

Mr. Scot fails.

Anent the cause betwixt Mr. John Beveridge and William Donaldson pursuers and Mr. Walter Scot defendant the said Mr. Scot failzies to prove that any sheep besides his own were in their skaith the pursuers are allowed to extract their decreet and put it into execution.

Debt.

John Davidson servant to John Laurie in Queenscairn is decerned to pay Mrs. Inglis in Kelso the sum of nine shillings and six pence sterling as the remains of an account due by him to his by his own confession.

School fees.

Catherine and Issobell Gotterstons, Alison Hoggart, Will Wilson, and Robert Thomson all indwellers in Stichill are decerned to pay to Mr. John Beveridge the following sum of school pay or wages due to him for teaching their children viz.,—Catherine Gotterstone four lib. thirteen shillings four pennies Scots; Isobell Gotterstone six lib. thirteen shillings four pennies; Alison Hoggart four lib.; Will Wilson two lib. thirteen shillings four pennies; Rob Thomson one lib. six shillings eight pennies.

Kail.

Mr. Walter Scot in Bailly Know is decerned to pay to John Brown weaver in Stichill the sum of one lib. fourteen shillings Scots of an apprisement of Kail destroyed to the complainer by ye defenders sheep.

Complains.

Mr. Walter Scott in Bailly Know complains upon John Cairncroft his late servant in ten particulars, the consideration therof is referred to the 14th current.

(150)
1737, May 14.

1737 Stichill May 14.
Curia legitime affirmata.

Anent the complaint exhibited last Court day by Mr. Scot against John Cairncroft witnesses being examined upon the several particulars which being considered together with the defenders acknowledgments he the defender is decerned to pay to the pursuer fourteen lib. thirteen shillings Scots in lieu of all damages and so is assoilzied upon his payment.

John Davidson servant to John Laurie in Queenscairn is decerned to pay to Mr. Scot in Bailly Know the price of his two Bolls four fyrlots oats ten capful of barley of an apprise-ment and two hogs lost by him to ye said Mr. Scot.

1737 Stitchill November 8.

Curia legitime affirmata.

(151)
1737, Nov. 8.

The several Vassals and tennents being called compeared in the Court themselves or proxies.

1737 December 24.

The qlk day the effects belonging to the deceast Janet Armstrong were exposed to publick roup at the instance of the Barrony of Stitchill for the use and behoof of James Currie her grandson being under age The Barronny having a right to her effects in regard she had been sometime maintained at their charge as one of their poor.

(152)
1737, Dec. 24.
Sale of effects.

1738 Stitchill May 13.

Curia legitime affirmata.

(153)
1738, May 13.

John Dickson and Thomas Hyslop both in Stitchill are americiat the first in ten pound the other in five lib. Scots with Modification as the Judge shall think fit for scandalous language used to one another.

Scandalous
talk.

1738 Stitchill May 27.

Curia legitime affirmata.

(154)
1738, May 27.

Thos Hyslop is decerned to pay to John Dickson three shillings six pennies sterling.

1738 Stitchill November 11.

Curia legitime affirmata.

(155)
1738, Nov. 11.

John Millar milner in Stitchill Miln as executor to William Millar his brother late tenant in Henderside is appointed to pay the general persons following their fees as having been servants to his deceast brother viz. Robert Thomson in Stitchill, George Ladla in Ednam, Robert Alexander in Kemflat, Alexander Hyslop in Stitchill is ordained to pay six pounds Scots as the remains of a Bill due to John Dason tenant in Harpertown.

Fees.

(156)
1739, May 10.

1739 Stitchill May 10.

Curia legitime affirmata.

Robert Aymers in Stitchill is ordained to pay twenty pence to Will Donaldson Hassingden, John Millar in Stitchill Miln is also ordained to pay fifteen lib. Scots to Ralph Cannonhead in Edenmouth as fees due to him by Will Millar late in Henderside brother to the said Millar. Also the said John Millar ordained to pay six lib. four shillings Scots to And. Swanston in Hume upon the same account.

Debts.

James Hall in Stitchill is decerned to pay three shillings six pennies Scots to Will Donaldson in Hassingden and Alison Scot in Stitchill ten shillings six pennies Scots, and Alexander Hog there one lib. twelve shillings Scots to ye said Will Donaldson.

(157)
1739, Nov. 10.

1739 Stitchill November 10.

Curia legitime affirmata.

Ane Head Barron Court holden at Stitchill be ye Right Honourable Sir Robert Pringle Baronet heritable proprietor of the lands and Barrony of Stitchill compeared the whole tennants and cottars within the said Barrony and took Instruments upon their compearance.

(158)
1739, Nov. 13.
Debt.

1739 Stitchill November 13.

Ane lawfully fenced Court John Lamb indweller in Stitchill is decerned to pay Will Johnstone indweller in Hume, the sum of two pounds Scots principall and eight pence of expenses of pley.

Teinding.

There was also a complaint by John Lawrie against John Underwood and Alexander Linen setting forth that when they were teinding the pease Harvest last, Peter Glasgow, Alexander Sim, and James Thomson refused to lead away some of said teind that was already drawn which the defenders acknowledged alledgeing for their excuse that every one of them had led more than their share Which defense was repelled, in regard that there was neither draughts upon the field at that time, and that they are allowed to act as accords against any of the Town that had not sufficient

draughts for leading away their proportion of Teinds and each of the three are therefore americiat in half a crown to be applied for the use of the Town in repairing highways etc.

1740 Stitchill November.

The which day and place ane Head Court of the lands and Barrony of Stitchill was holden by the Honourable Sir Robert Pringle.

Curia legitime affirmata.

The said day John Smith Schoolmaster at Stitchill was appointed clerk of the Barron Court.

(159)
1740, Nov.

1740 Stitchill November 8.

The which day ane Head Barron Court holden in the Chamber of Nether Stitchill by George Laurie the Barron Bayllie of the place.

(160)
1740, Nov. 8.

1744 Stitchill November 10.

The which day was holden an Head Barron Court in the Chamber of Nether Stitchill by the Honourable Sir Robert Pringle.

(161¹)
1744, Nov. 10.

The which day the Barron appointed George Laurie tenant in Queenscairn to be Barron Bailie in room of the deceast John Laurie late Bailie of Stitchill.

1744 Stitchill November 10.

The which day the said Sir Robert Pringle sitting in judgment discharges Act anent all Residenters in the Barrony of Stitchill to dress Lint themselves or by others either by beating, rubbing, swingleing, drawing or heckling with candle-light (dressing) and likewise the drying of it at the fire by day or night under the penalty of twenty lib. Scots *toties quoties* if they shall transgress as above.

(161²)
1744, Nov. 10.
Lint.

1745 Stitchill November 23.

The which day ane Head Barron Court was holden in the Chamber of Nether Stitchill by the Honourable Sir Robert

(162)
1745, Nov. 23.

Pringle of Stitchill Knight Barronet Heritable Proprietor of the Lands and Barrony of Stitchill.

The which day James Brown and John Smitton tennents in Stitchill were chosen Burlawmen of the said Barrony and gave their oath *de fidei*. James Brown: John Smitton his mark.

1748 Stitchill January 5.

(163)
1748, Jan. 5.

Apprentice Fee.

At a Barron Court held here this day Agnes Laidlaw claimed a chest from Alexander Gray that belonged to her deceast mother in which was something of her own and her Mother's Which chest the said Alexander Gray detained till he should be payed a certain part of the wages due by James Laidley her son as apprentice fee for the said Mother being cautioner in the Indentures. Parties being fully heard and the affair delayed to another Court day George Dickson offered to be caution to Alexander Gray for the ten shillings sterling claimed as above providing the said Agnes Laidley might have the chest above mentioned Which the said Alexander Gray accepted of and accordingly by appointment of the said Honourable Sir Robert Pringle sitting Judge, the said George Dickson enacted himself in the Court Book to pay the above claim of ten shillings sterling to Alexander Gray in case the same shall be found due and accordingly the chest was ordained to be given up to the said Agnes Laidley and the Indentures delivered to said George Dickson.

1748 Stichill November 9.¹

(164)
1749, Nov. 9.

When a compareance was made by the whole householders or their procurators at their Barron Court.

¹ This was the first court held after important modifications had been made upon the jurisdiction of Baron Courts. By an Act passed in the reign of George II. it was enacted that, from and after the 25th March 1748 no heritor of lands in Scotland, erected into a Barony, or granted with lower jurisdiction, or their Bailies, shall have any jurisdiction in capital cases; and no such Baron or other heritor infest *cum curiis*, or their Bailies, shall have any jurisdiction in any criminal cause, other than assaults, batteries, or smaller crimes, for which the punishment shall not exceed a fine of one pound sterling, or setting in the stocks in the daytime; which fine shall be recovered by poinding or by imprisonment not exceeding one month. The Baron was also to enter into a book, to

Robert Brown schoolmaster in Stitchill was appointed Clerk of the said Barrony.

In regard of the scarcity of half pennies it was enacted that none of the tenents or householders shall for the future be obliged to pay more than one halfpenny for their compearance or Instrument money. Half pennies scarce.

It is further enacted that none within the Barrony cast any divots for houses which they put up themselves.

1749 Stitchill May 10.

This day George Linin gardener in Stitchill was appointed clerk to the Barron Court and Thomas Underwood wright in Stitchill producing a Commission from Sir Robert Pringle to be Officer thereof the same was admitted.

(165)
1749, May 10.

1749 Stitchill November 11.

Sir Robert Pringle sitting himself present appointed David Forrest Clerk of this Barron Court.

(166)
1749, Nov. 11.

It is appointed that this Barron Court be observed henceforth upon the Saturday immediately preceding the Terms of Whitsunday and Martinmas without any further intimation.

1750 Stitchill May 12.

Baron Court held. *Curia legitime affirmata.*

(167)
1750, May 12.

Sir Robert Pringle himself being present. Thomas Underwood wright in Stitchill and John Hay weaver there were nominated and appointed Burlawmen in this Barrony having taken the oath *de fidei administratione officii*.

1750 Stitchill May 25.

Curia legitime affirmata.

(168)
1750, May 25.

The which day Nathaniel Middlemost was discerned his crops and other household furniture sequestrate and put into

be kept by the sheriff clerk of the county, the house or place he is to make use of for a prison, and that every such prison shall have windows or grates open to inspection from without, to facilitate visits from friends. As regards civil causes, it was not to be lawful for the baron to judge in causes where the debt or damages exceeded forty shillings sterling, other than to the effect of recovering rents, multures, or services from his vassals and tenants (20 Geo. II. c. 43).

the hand of Sir Robert Pringle Bart. of Stitchill for payment of his rents legal formalities having been observed. By George Laurie Bayllie.

(169)
1750, Nov. 10.

1750 Stitchill November 10.

The which day there was an Head Barron Court holden by George Laurie Bayllie of said Barrony in name of Sir Robert Pringle.

(170)
1751, May 11.

1751 Stitchill May 11.

Curia legittime affirmata.

The which day there was an Head Barron Court holden by George Laurie Bayllie in name of Sir Robert Pringle of Stitchill Bart.

(171)
1751, Nov. 9.

1751 Stitchill November 9.

Curia legittime affirmata.

Burlawmen.

The which day there was holden an Head Barron Court by George Laurie Bayllie whereat John Watson in Stitchill Miln Adam Hyslop and Patrick Wilson Tenents were appointed Burlawmen in this Barrony having given their oath *de fidei*.

John Watson; Adam Hyslop (A. H., his mark); Patrick Wilson (× his mark).

(172)

1752 Stitchill May 9.

The which day there was a Head Barron Court holden by George Laurie Bailie of said Barrony in name of Sir Robert Pringle Bart.

(173)

1752 Stitchill November 18.

Curia legittime affirmata.

The which day Sir Robert Pringle being present appointed James Dickson Clerk of this Barron Court.

(174)

1753 Stitchill May 19.

Curia legittime affirmata.

The which day there was held a Head Court by George Laurie Baillie of said Barrony in name of Sir Robert Pringle Bart.

1753 Stitchill November 17.

(175)

Curia legitime affirmata.

The which day was held a Barron Court (head) by the Right Honourable Sir Robert Pringle Barronet.

1754 Stitchill May 25.

(176)

Curia legitime affirmata.

The which day a Head Barron Court was held by George Laurie Baillie in name of Sir Robert Pringle.

1754 Stitchill November 16.

(177)

Curia legitime affirmata.

The which day was held a Head Barron Court by George Laurie Baillie in the name of Sir Robert Pringle Bart.

1755 Stitchill May 24.

(178)

The which day was held a Head Barron Court by George Laurie Baillie in the name of Sir Robert Pringle.

1755 November 15 Stitchill.

(179)

The which day a Head Barron Court was held at Stitchill by George Laurie Baillie of said Barrony in name of the Right Honourable Sir Robert Pringle of Stitchill Bart.

1756 Stitchill May 26.

(180)

The which day a Head Barron Court was held at Stitchill by George Laurie Tennent in Queenscairn Baillie of said Barrony in name of the Right Honourable Sir Robert Pringle of Stitchill Bart.

1756 Stitchill November 20.

(181)

Curia legitime affirmata.

The which day a Head Barron Court was held at Stitchill by George Laurie Baillie in name of the Right Honourable Sir Robert Pringle of Stitchill Bart.

1757 Stitchill May 21.

(182)

Curia legitime affirmata.

The which day a Head Barron Court was held at Stitchill

by George Laurie Baillie in name of the Right Honourable Sir Robert Pringle of Stitchill Bart.

(183) 1757 Stitchill November 19.

The which day was held a Head Barron Court by George Laurie in name of Sir Robert Pringle Bart.

(184) 1758 Stitchill November 20.

Curia legittime affirmata.

Rent of house
5s.

The which day George Laurie Baillie of the Barrony of Stitchill sitting in judgment decerned and ordained Simon Marjoribanks indweller in Stitchill to pay to Sir Robert Pringle of Stitchill the sum of fifteen shillings sterling as the three years rent of the house possessed presently by him and in the meantime ordered the Officer of the Barrony to poynd and arrest his effects wherever they were to be found within the Barrony.

The same day the householders made their compearance and took Instruments.

(185) 1759 Stitchill May 19.

Curia legittime affirmata.

Birlayman.

The which day a Head Barron Court was holden at Stitchill by the Right Honourable Sir Robert Pringle of Stitchill Bart. when James Hay weaver in Stitchill, William White weaver there, and Robert Heymer junior smith there were appointed Birlaymen in this Barrony having given their oath *de fidei*.

(186) 1760 Stitchill May 24.

Curia legittime affirmata.

The which day John Main wright in Stitchill is decerned to pay to William White weaver there the sum of four shillings sterling due by the said John Main being proven by the pursuer's oath as also to have his sheep grass till Whitsunday 1761 at which time he is to remove without any further wairning.

(187) 1760 Stitchill November 15.

Curia legittime affirmata.

The which day a Head Barron Court was held at Stitchill

by George Laurie Baillie of said Barrony in name of Sir Robert Pringle Bart.

The which day the householders made their compearance by themselves or proctors at this Court.

1761 Stitchill May 23.

(122)

Curia legittime affirmata.

The which day was held ane Head Barron Court at Stitchill by the Right Honourable Sir Robert Pringle of Stitchill Bart. when Thomas Sudden and Alexander Wylie indwellers in Stitchill were appointed Birlawmen in this Barrony having given the oath *de fidei*.

1761 Stitchill November 21.

(129)

Curia legittime affirmata.

The which day ane Head Barron Court was holden at Stitchill by George Laurie Baillie of the Barrony in roume of Sir Robert Pringle of Stitchill Bart.

The which day the householders within this Barrony made their compearance by themselves or procurators and took Instruments of said compearance.

1762 Stitchill May.

(190)

Curia legittime affirmata.

The which day ane Head Barron Court was holden at Stitchill by George Laurie Baillie of said Barrony.

1762 Stitchill November.

(191)

Curia legittime affirmata.

The which day ane Head Barron Court was holden by George Laurie Baillie of said Barrony when the tennents and cottars by themselves or procurators made their appearance and took Instruments accordingly in the clerk's hands.

1763 Stitchill May 21.

(192)

Curia legittime affirmata.

The which day ane Head Barron Court was holden at Stitchill by George Laurie Baillie of said Barrony.

(193) 1763 Stichill November 19.

Curia legitime affirmata.

The which day ane Head Barron Court was holden at Stichill by the Right Honourable Sir Robert Pringle of Stichill Bart.

Beef 18d. The which day Robert Guthrie tennent in Stichill is decerned to make payment to Margaret Charteris of the sum of eighteen pence as the remainder of the price of a side of beef bought by him from said Charteris as also of sixpence as the expenses of said Process.

Grass 4s. stg. The which day Isobel Brown relict of the deceast Thomas Hislop is decerned to pay to Margaret Charteris the sum of four shillings sterling as the rent of a Summer's grass in the Mains and the sum of six pence as the expence of this Process.

Oatmeal 10s. 3. The which day Jasper Aitchison indweller in Stichill is decerned to make payment to John Watson tenant in Stichill Miln of the sum of ten shillings and three pence sterling as the price of oat meal bought from him as also of the sum of eight pence as expenses of plea.

(194) Stichill 1764 May 19.

Curia legitime affirmata.

The which day ane Head Barron Court was holden at Stichill by George Laurie Bailie of said Barony.

(195) 1764 Stichill Nov.

Curia legitime affirmata.

The which day an Head Barron Court was holden by George Laurie Baillie of said Barrony when the tenents and cottars made their usual appearance and took Instruments accordingly.

(196) 1765 Stichill November 16.

The which day ane Head Barron Court was holden by George Laurie Bailie of said Barrony when the tenents and cottars compeared and took Instruments of said compearance in the clerk's hands.

(197) 1766 Stichill May 24.

The which day ane Head Barron Court was holden by George Laurie Bailie of said Barrony.

1766 Stitchill November 15.

(198)

Curia legitime affirmata.

The which day ane Head Barron Court was holden at Stitchill by George Laurie Bailie of said Barrony when all the tenents and cottars took Instruments of their compearance in the Clerk's hands.

1767 Stitchill May 23.

(199)

An Head Barron Court was holden this day at Stitchill by George Laurie Bailie of said Barrony but there being no business before the Court it was adjourned till next Court day.

1767 Stitchill November 21.

(200)

The which day ane Head Barron Court was holden at Stitchill by George Laurie Bailie of said Barrony when the tenants and cottars compeared as usual and took Instruments.

1768 Stitchill May 21.

(201)

The which day ane Head Barron Court was holden at Stitchill by George Laurie Baillie of said Barrony.

1768 Stitchill November 19.

(202)

At an Head Court holden this day at Stitchill by George Laurie Bailie of said Barrony compeared all the tenents and cottars and paid their fine for the penal statutes as usual.

1769 Stitchill May 20.

(203)

The which day the Court was holden as usual but as there was no business to manage, the Bailie appointed the next Court day to be on the Saturday before the Term of Martinmas except when any business comes before them and this to take place in all time coming.

1769 Stitchill November 18.

(204)

The which day ane Head Barron Court was holden by George Laurie Bailie of said Barrony when the tenants and cottars compeared and took Instruments in the Clerk's hands.

- (205) 1770 Stitchill November 19.

Curia legittime affirmata.

The which day ane Head Barron Court holden by George Laurie compeared the tenants and cottars and took Instruments of said compearance in the Clerk's hands.

- (206) 1771 Stitchill November 16.

Curia legittime affirmata.

This day there was holden a Head Barron Court at Stitchill by George Laurie Bailie of said Barrony when the tenants and cottars compeared and took Instruments as usual in the Clerk's hands.

- (207) 1772 Stitchill November 15.

On which day there was holden as usual a Head Barron Court at Stitchill by George Laurie Bailie of said Barrony when the tenants and cottars compeared and took Instruments.

- (208) 1773 Stitchill November 20.

At an Head Barron Court holden at Stitchill by George Laurie Bailie of said Barrony compeared the tenants and cottars and took Instruments in the hands of the Clerk.

- (209) 1774 Stitchill November 19.

Curia legittime affirmata.

The which day William Wilson tennent in Bailie Knowe was appointed Bailie of the Barrony of Stitchill by the Right Honourable Sir Robert Pringle of Stitchill Bart.¹

The which day also the tenants and cottars of the Barrony compeared and took Instruments of their compearance in the hands of the Clerk.

- (210) 1775 Stitchill November 18.

At an Head Barron Court held this day at Stitchill by William Wilson Bailie of said Barrony all the tennents and cottars by themselves or procurators compeared and took Instruments in the Clerk's hands of said compearance.

¹ Last appearance of Sir Robert Pringle. He began presiding on 8th November 1721.

1776 Stitchill November 16.

(211)

Curia legitime affirmata.

This day ane Head Barron Court was held at Stitchill by William Wilson Bailie of said Barrony in which compeared the tennents and cottars as usual and took Instrument in the Clerk's hands of their compearance.

1777 Stitchill May 24.

(212)

The which day an Head Barron Court was held at Stitchill by William Wilson Bailie of said Barrony when Richard Hewatt tenant in Queenscairn William Landreth tennant in Sweethope and John Dickson tenant in Stichell Mill were appointed Birlaymen in this Barrony and gave their oaths *de fidei*. Birlaymen.

1777 Stitchill November 15.

(213)

Compeared this day the tenents and cottars at a Head Baron Court held by William Wilson Bailie of said Barrony and as usual took Instruments in the Clerk's hands.

1778 Stitchill November 21.

(214)

Curia legitime affirmata.

This day ane Head Barron Court was held at Stitchill by William Wilson Bailie of said Barrony when the cottars and tenants compeared and took Instruments in the Clerk's hands.

1779 Stitchill November 20.

(215)

The which day was holden a Head Baron Court at Stitchill by William Wilson Bailie of said Barrony at which compeared all the tennants and cottars and took Instruments in the Clerk's hands.

1781 Stitchill November 17.

(216)

Curia legitime affirmata.

The which day Richard Hewatt tenant in Queenscairn was appointed Bailie of the Barrony of Stitchill by Sir James Pringle of Stitchill Bart.¹ when the tenants and cottars com-

¹ Sir James Pringle now presides. Sir Robert last presided upon 19th November 1774.

peared and took Instruments of said compearance in the Clerk's hands.

(217) 1782 Stitchill November 16.

There was held this day ane Head Barron Court at Stitchill by Richard Hewatt Bailie of said Barrony at which compeared all the tenants either by themselves or procurators and took instruments in the Clerk's hands.

(218) 1783 Stitchill January 5.

Curia legittime affirmata.

Calumny ros.
stg.

The which day Richard Hewatt Bailie of the Barrony of Stitchill sitting in Judgment having heard a complaint given in by William Fair tenant in Stitchill Miln against Jasper Aitchison in the Barley Mill and Adam Spiers servant to Mr. James Hogarth tennent in Bailie Knowe for charging him with keeping the Mill in bad order Which the Judge considering found that the Charge was groundless and malicious and therefore fined them both in the sum of ten shillings sterling each.

(219) 1783 Stitchill November 15.

Curia legittime affirmata.

The which day there was held a Head Baron Court at Stitchill by Richard Hewatt Bailie of said Barrony when James Guthrie was appointed Baron Officer when all the tenants and cottars compeared and paid their fines for the penal statutes.

riot and throw-
ing into the fire
ros. stg.

John Hislop tenant in Stitchill is decerned and fined in the sum of ten shillings sterling money for a riot and for throwing Mary Tain his servant into the fire *ex confessione rei*.

(220) 1784 Stitchill November 20.

Curia legittime affirmata.

The which day the tenants and cottars compeared at a Head Baron Court and took Instruments as usual in the Clerk's hands.

(221) 1785 Stitchill November 19.

The which day at a Head Baron Court compeared the

tenants and cottars as usual before Richard Hewatt Bailie of said Barrony and took Instruments of said compearance.

The which day it was enacted that if any person should be found breaking through enclosures carrying off pailing, pulling or destroying turnips, they shall be liable to whatever fine the Judge shall think proper to impose and this Act to be in force in all time coming.

1786 Stitchill November 18

(222)

Curia legitime affirmata.

The which day at a Head Baron Court held before Richard Hewatt Bailie of said Barrony the tenants and cottars took Instruments of their compearance in the Clerk's hands.

1787 Stitchill November 19.

(223)

The which day a Head Baron Court was holden at Stitchill by Richard Hewatt Bailie of said Barrony at which the tenants and cottars compeared and took Instruments of said compearance as usual in the Clerk's hands.

1788 Stitchill November 15.

(224)

At a Head Court held by Richard Hewatt Bailie of said Barrony the tenants and cottars compeared and paid their fines for the penal statutes.

1789 Stitchill November 21.

(225)

The which day was held a Head Baron Court as usual when the tenants and cottars paid their fines for the penal statutes.

1790 Stitchill November 20.

(226)

At a Baron Court held this day the tenants and cottars compeared and took instruments in the Clerk's hands of said compearance.

1791 Stitchill November 19.

(227)

A Baron Court being held here this day by Richard Hewatt Baron Bailie the tenants and cottars compeared and paid their fines for the penal statutes.

(228) 1792 Stitchill November 19.

At a Head Baron Court held this day by Richard Hewatt Baron Bailie of the Barony the tenants and cottars compeared as usual and took Instruments of said compearance in the Clerk's hands.

(229) 1793 Stitchill January 19.

The which day at a Court holden by Sir James Pringle Bart. of Stitchill Mr. Alexander Linen was appointed Bailie of said Barony and gave his oath *de fidei administratione* as also John Dods tenant was appointed Baron Officer and gave his oath in due form.

(230) 1793 Stitchill April 20.

The which day Mr. Alexander Linen sitting in judgment decerned and ordained William Kennedy residing in Hareheught to make payment to Mr. George Mill tenant in Sweethope of the sum of one pound one shilling sterling being due to the complainant conform to an account given in by him and the said William Kennedy having paid the same is hereby assoilzied.

Snuff-mill. The same day also Thomas Haig in Stitchill Snuff-Mill is decerned to pay to William Immery inn-keeper in Stitchill the sum of six shillings and eight pence due to him for several articles bought from him at different times with a fifth part more as expenses of Process.

(231) 1793 Stitchill November 16.

Curia legittime affirmata.

Fines for non-attendance.

The which day the Bailie having called a Head Baron Court according to custom for all the tenants and cottars within the Barrony of Stitchill to pay to the Clerk of Court the sum of one halfpenny sterling for each householder in said Barrony But in respect the persons after named had failed to appear and pay the same the Bailie hereby decerns against each of them in the payment of one halfpenny viz.,—James Hogarth, tenant in Baillie Knowe, George Mill, tenant in Sweethope, Alexander Smith, tenant in Legars, George Boyd, tenant in Stitchill East Mains, Thomas Waugh, tenant in Caldron Brae, and Peter

Simson, tenant in Parkend, and americiats the said James Hogarth, George Mill, Alexander Smith, George Boyd, Thomas Waugh and Peter Simson and each of them in the sum of two shillings and sixpence sterling, for their contempt and disobedience in not attending said Court, and orders the Officer to poynd accordingly.

The which day John Hislop resider in Stichill is decerned to make payment to Robert Trotter wright in Hume the sum of one pound four shillings and six pence as the price of a pair of cart wheels furnished at Lammas 1785 and interest thereon since the same fell due with a fifth part more of expenses of Process.

1794 Stichill November 15.

(232)

Curia legitime affirmata.

The which day a Head Barron Court was held by Alexander Linen Bailie of the Barony when most of the tenants and all the cottars appeared and paid one halfpenny to the Clerk being their usual fine for the penal statutes and there being no other business the Court was adjourned till next Court day.

1795 Stichill November 21.

(233)

Curia legitime affirmata.

The which day a Head Baron Court was held by Alexander Linen Bailie of the Barony when the tenants and cottars appeared and paid their usual fines for the penal statutes.

The same day George Boyd tenant in Eastfield was decerned to pay to William Downie tenant in Running Burn the sum of one pound twelve shillings sterling for corn damaged and destroyed by his cattle in September and October last bypast. Also William Downie was decerned to pay to George Boyd the sum of twelve shillings sterling for corns also destroyed by his cattle in September last. ^{corn destroyed} £1. 12. stg.

1796 Stichill November 19.

(234)

Curia legitime affirmata.

The which day a Head Baron Court was held by Alexander Linen Bailie of the Barony when all the tenants and house-

holders by themselves or others in their name compeared and paid their fine for the penal statutes and there being no other business before the Court it was adjourned till next Court day.

(235) 1797 Stitchill November 18.

Curia legittime affirmata.

The which day a Head Baron Court was held by Alexander Linen Bailie of the Barony at which all tenants and householders by themselves or others in their name compeared and paid their fine for the penal statutes and as there was no other business before the Court it was adjourned till next Court day.

(236) 1798 Stitchill House November 16.

The which day James Heymer smith in Stitchill was appointed Birlayman of the Barony of Stitchill by Sir James Pringle of Stitchill Bart. and gave his oath *de fidei administratione*.

(237) 1798 Stitchill November 17.

Curia legittime affirmata.

The which day a Baron Court was holden at Stitchill by Alexander Linen Bailie of said Barony when all the tenants and cottars and householders paid their fine for the penal statutes and there being no other business the Court was adjourned till next Court day.

(238) 1799 Stitchill November 16.

Curia legittime affirmata.

The which day a Baron Court was held at Stitchill by Alexander Linen Bailie of said Barony when all the tenants cottars and householders paid their fines for the penal statutes and there being no other business the Court was adjourned till next Court day.

(239) 1800 Stitchill November 15.

Curia legittime affirmata.

The which day a Baron Court was held by Alexander Linen

Bailie of said Barony when Mr. Thomas Douglas Schoolmaster of Stitchill was by Sir James Pringle appointed Clerk of this Court.

The tenants, cottars and householders paid their fine for the penal statutes as usual and as there was no other business the Court was adjourned till next Court day.

1801 Stitchill November 21.

(240)

The which day a Baron Court was held by Alexander Linen Bailie of said Barony when the usual business being finished the Court was adjourned till next Court day.

1802 Stitchill November 21.

(241)

The which day a Baron Court was held by Alexander Linen Bailie of said Barony when the usual business being finished the Court was adjourned till next Court day.

1803 Stitchill November 19.

(242)

The which day a Baron Court was held by Alexander Linen Bailie of said Barony when the usual business being finished the Court was adjourned till next Court day.

1804 Stitchill November 17.

(243)

The which day a Baron Court was holden by Alexander Linen Bailie of said Barony when the usual business being finished the Court was adjourned till next Court day.

1805 Stitchill November 16.

(244)

Which day a Head Court was held. Messrs Peter Johnstone, Sweethope, George Johnstone, Eastfield, James Hogarth, Baillie Knowe, were attending their duty as yeomen which was sustained as a sufficient reason for their being absent but Messrs Henry Scott, Hardie's Mill Place, James Maclaurin, Parkend, Alexander Smith, Legars, Richard Hewatt, Queenscairn, and William Downie, Runningburn, failing to appear or any person for them, were ordered to pay the sum of two shillings and six pence sterling each for contempt of said Court Which sums the Baron Officer is to collect immediately. The other tenants, cottars, and householders, took

Fines for non-attendance.

Instruments in the Clerk's hands of their appearance and the Baron Officer was ordered in time coming to intimate to the several tenants of this Barony and residing in this village of Stitchill when the Head Court is to be holden at least one week before it takes place. There being no other business before the Court it was adjourned till next Court day.

(245) 1806 Stitchill November 15.

Fines for non-attendance.

Which day a Head Court was holden when Messrs Scott, Hardie's Mill Place, Maclaurin, Parkend, Hewit, Queenscairn, Downie, Runningburn, Johnstone, Eastfield, and Johnstone, Sweethope, failing to appear or any for them were ordered to be fined the sums of half a crown each.

The rest of the tenants and cottars having appeared and paid their fines the Court was dismissed till next Court day.

(246) 1807 Stitchill November 21.

This day a Head Court was held when the tenants and householders appeared and paid their fines and there being no other business before the Court it was adjourned till next Court day.

APPENDIX I

CRIMES AND OFFENCES

THE following is a list of the crimes and offences brought before the Baron Court during the one hundred and fifty years covered by the Records. In a pastoral country abstracted multures were very common. These were the fees in kind which the miller ought to have received for grinding the corn of tenants thirled to his mill, but by the tenant's going elsewhere with his corn, the fees were lost to the miller of the barony. One instance occurs of the contravention of an arrestment laid upon a man's corn. Several times bridegrooms were fined for obtaining their bridal bread and their bridal ale from dealers outside the barony to the loss of the miller. Bridegrooms were fined in addition, if more guests than the law allows were present at the weddings, or if unnecessary changes of raiment were made at the celebration. For the baptism of his children, he might be fined for having too many guests, and for neglecting to pay the dues of the session-clerk. The same also at burials, and if the dead were shrouded in linen and not in woollen. Compulsory education was insisted on, and defaulting parents were fined. Corn eaten by trespassing animals had to be paid for ; corn removed from the fields before paying teind or tithe had to pay its teind, in addition to its owner being fined. Sharpening corn had to be paid to the blacksmith as a fee for sharpening implements, else a fine was exacted. Contempt of Court was not a rare occurrence ; nor was the cutting of trees ; and at times the stealing of corn from one's neighbour's rig.

There are but two references to drunkenness, which is curious ; and a great many to the deforcing of the barony officers, and one only to the desertion of service by a servant. Kayn fowls had to be paid as rent in kind to the lady of the mansion ; geese must not be trespassers ; and herds must not herd their own animals apart from those under their charge.

Of housebreaking there is but one case.

Regarding the relationship of the kirk session with the Baron's Court, more than one intimation was made that the Baron would compel the observance of the decisions of the kirk session. Of being bound over to preserve the peace, two instances are given; and several of lawburrows being demanded. Lint must not be steeped in lochs and burns, nor exposed while being dressed to risk of catching fire, and for contravention of these orders fines were exacted. The Sumptuary Laws must be observed. Muck must be properly carried to the land. The millstone-silver must be paid; so also the share of the expense in bringing home the millstones. Thirlage both to the corn-mill and to the waulk or fulling mill was the source of much irritation, and its infringement was always punished by severe fines. Orders to remove were given to undesirables; and opprobrious speeches promptly fined. A man might clear himself from a charge by taking the oath of verity, whereby he was purged from the offence alleged. Only once were a pauper's effects sold. Three references only are found relating to corporal punishment; and a few to poinding goods, poaching, keeping the peace, profanation of the Sabbath; and several to riots and assaults to the effusion of blood. Once only was a man accused 'that he had helped up with the dead,' and that seemingly falsely. Sensuality, swearing, scolding, and scandal were all punishable; and for these, mention is made of the stocks twice. Trespass both of man and beast was fineable; so also for the improper tilling of the land; the cutting of whins; etc. The old Scots term for fining was being 'unlawed and amerciati,' and this was the commonest punishment for most offences. Witchcraft was dying out, as there is one reference only to a witch. Such were the offences and crimes brought before the Baron's Court of Stitchill in the seventeenth and eighteenth centuries.

APPENDIX II

TIMES OF MEETING OF THE BARON'S COURT

In 1655 the Court met four times; in 1656 twice; in 1657 thrice; in 1658 thrice; in 1659 twice; in 1660 twice; in 1661 once; in 1662 twice; in 1663 four times; in 1664 thrice; in 1665 twice; in 1666 four times; in 1667 thrice; in 1668 twice; in 1669 twice; in 1670, 1671, and 1672 once in each year; in

1673 thrice ; in 1674 twice ; in 1675 twice ; in 1676, 1677, 1678, and 1679 once only in each year ; in 1680 thrice ; in 1681 twice ; in 1682 once ; in 1683 twice ; in 1684, 1685, and 1686 once only in each year ; there is no record of a meeting in 1687 or in 1689 ; or in 1690. There were two meetings in 1691 and 1692 ; one in 1693 ; two in 1694 ; two in 1695 ; four in 1696 ; four in 1697 ; three in 1698 ; three in 1699 ; and one in 1700. There was no meeting in 1701 ; there were two in 1702 ; two in 1703 ; two in 1704 ; two in 1705 ; one in 1706 ; two in 1707 ; three in 1708 ; one in 1709 ; one in 1710 ; one in 1711 ; two in 1712 ; two in 1713 ; two in 1714 ; two in 1715 ; three in 1716 ; two in 1717 ; three in 1718 ; one in 1719 ; one in 1720 ; one in 1721 ; two in 1722 ; three in 1723 ; one in 1724 ; one in 1725 ; none in 1726 ; and two in 1727. . . . A blank of eight years occurs at this point. In 1735 there were four meetings ; two in 1736 ; five in 1737 ; three in 1738 ; three in 1739 ; one in 1740. . . . A blank again occurs. There were two meetings in 1744 ; and one in 1745 ; and one in 1746. . . . Another blank occurs. In 1748 there was one meeting ; in 1749 three ; in 1750 three ; in 1751 two ; in 1752 two. There were two yearly after this date until 1758 and 1759, in each of which there was but one. In 1760 to 1764 there were two in each year. In 1756 there was one. In 1766 to 1769 there were two in each year. From 1770 till 1776 there was but one in each year. In 1777 there were two. In 1778 one ; in 1779 one ; in 1780 none ; in 1781 one ; in 1782 two ; in 1783 one ; in 1784 one ; and one in each year till 1793 in which year there were three. Until 1797 there was one meeting in each year ; and in 1798 there were two ; and one annually thereafter until the end in 1807.

APPENDIX III

LIST OF PROPER NAMES OCCURRING IN THE RECORDS OF THE BARON'S COURT

Armstrong, Alexander, Aitchison, Aitken, Allane, Anderson,
Aldcorne, Ackae, Archibald, Adam, Archer, Aymers.
Blaikie, Blackie, Bromfield, Bowtoun, Black, Bairnsfather, Bell,
Bogge, Boyd, Burne, Brown, Brocky, Brunton, Bougall,
Bosuall, Brownlies, Baillie, Beveridge, Bruntfield.

- Campbell, Cossars, Clapperton, Charterhouse, Crottar, Ceddy,
Cottersone, Cranstoun, Courtney, Cowan, Cromby, Concurr,
Corbraith, Cudbertson, Cuthbertson, Crawford, Charteris,
Currie, Clarke, Cramont, Cairncross, Cairncroft, Cannon-
heid.
- Donaldson, Dickson, Dows, Dodds, Dawson, Duncan, Douglas,
Davidson, Dasen, Downie, Dowglas.
- Elliot, Eiston, Eixton, Easton, Elliot, Edgar, Edmiston.
- ffrenche, ffairbairne, ffrothem, ffoord, fforrest, ffair.
- Given, Guttraw, Galbraith, Gibson, Greenknowe, Giffen, Gutter-
sone, Gray, Grieve, Gottrae, Gaffine, Giffan, Gremslie, Geills,
Galbrath, Gillespy, Gib, Gregor, Gardiner, Glasgow, Givan,
Gardner, Garner, Gill, Greig, Guthrie.
- Hamilton, Hoggeard, Hogge, Hall, Henrison, Hopper, Hunter,
Hute, Hope, Hoggearth, Halyburtone, Handyside, Hutsone
Hendersone, Herd, Hammiltoune, Hennry, Hislop, Hill,
Haliday, Hoggeart, Hagger, Hallie, Hyslop, Heymers,
Hairly, Hay, Hewatt, Haig.
- Inglis, Innes, Ingles, Immeny.
- Jamieson, Johnston, Japhrae.
- Ker, Keith, Knox, Kennedy.
- Lowry, Lamb, Lennox, Learmont, Lillie, Lambe, Lidgait, Leith,
Leithheid, Lirmen, Lee, Litel, Lindores, Locke, Lithgow,
Lathead, Ladla, Linen, Laidley, Landreth, Lawson,
Linning.
- Muirhead, Moffat, Mylle, Macdowell, Maisson, Marshall, Mag-
dowall, Mill, Mein, Millar, Murdy, Matthew, Mather, Mit-
chell, Marjoribanks, Meikle, Macgregor, Manders, Mack,
Madder, Middlemost, Main, Maclaurin.
- Nizbet, Nissbet, Newton, Neill.
- Ormiston.
- Pringle, Pearson, Patterson, Prestoune, Pringill, Purves, Pearsons,
Patterson, Puntan, Phaup, Potts, Peirson.
- Quhyte, Quhiggenshall.
- Robesone, Richisone, Ramsay, Reidpath, Rutherfoord, Robertson,
Richardson.
- Smythe, Smith, Stevison, Stott, Scott, Starke, Swanston, Service,
Stewart, Sked, Sinclair, Small, Steill, Steinson, Scougall,
Simm, Sklaitter, Sheill, Sim, Short, Scot, Smitton, Simson.
- Turnbull, Tailzieour, Trottat, Thomsone, Turner, Turten, Taylor,
Tain.

Urmiston, Underwood, Utterstone.

Vair.

Windrim, Wilson, Wood, Welshe, Wady, Weddel, Watstone,
Whyte, Walker, Willobie, Waitt, Watts, War, Weir, Whytlie
Waitt, Whale, Waddell, Waugh.

Young, Younger, Yeaman.

APPENDIX IV

SOME ARCHAIC AND PROVINCIAL WORDS OCCUR- RING IN THE FOREGOING MINUTES

Allenarly. Only, solely.

Amerciaments. Fines.

Attour. Over, beyond; 'by and attour,' 'over and above.'

Axetries. Axle-trees, axles.

Barroun, bairoun, baron. The word in the sense in which it is applied to the owner of Stitchill estate does not necessarily mean a nobleman. The original meaning of the word is here used, such as a strong man, one who can bear (from Gothic, *beran*, to bear). Such a baron held land by honourable service, and was a baron by tenure, not by nobility, nor by patent. He presided over the court of his barony; and in earlier times had power of pit for drowning women, and gallows for hanging men, including the lesser punishments for crimes of lower degree.

Bailive, bailzie, balive. The bailie or bailiff who administered the decrees of the baron, and held courts in his absence.

Baulk. A ridge or strip of land left unploughed, separating two ploughed portions.

Bedded the kiln. Either spread the grain in proper position to be dried, or spread the fuel properly for combustion.

Beir, bear, bere. Barley having four rows of grain.

Bloodwyte. A fine for the shedding of blood.

Boll. A dry measure whose quantity varied in different districts. A boll of oats, barley, or potatoes contains six bushels. A boll of meal is equal to 140 pounds *avoir*. The boll is divided into four firlots.

Bountith, bounty. Something given to a servant over and above legal wages.

Bourlawmen, birlaymen. The petty officers of a burgh of barony, parish arbiters, referees, petty jurymen.

Boukail. Cabbage.

Cairiages, carriadges. The carryings of loads by the tenant, as part of his service to the laird. They might be borne either by horse or by cart.

Calsayend. One of the tenants was thus distinguished from other tenants of the same name, as living at the end of the causeway. A causeway was either paved or laid with cobble stones. In the south country, some of the vestiges of the Roman road show these causeways to this day.

Capful. The fourth part of a peck, a forpit, a lippie.

Claik hackit cow. A cow besmeared and rugged.

Couper, coupper, cowper. A cooper for making ale barrels; also a dealer in horses.

Cowan. An irregular mason who has not undergone an apprenticeship.

Coupurall. A corporal in the army or militia.

Dunments, dinmonts. Wedders from the first to the second shearing.

Ennle sheitt. A sheet provided by a bride for the occasion of her marriage, and used at the last as a shroud.

Entreis money; also gersoume. A sum paid by a tenant to a landlord at the entry to a lease.

Ferne beir. Bere or barley paid as part of rent or ferme.

Fulle. A flrot or bushel of grain.

Girst, grist. Grain that is bound to be ground at the mill to which the land is thirled.

Hirsell. A flock of sheep; but in the text the name of a Border estate.

Husbandland. About twenty-six acres of land; as much as might be tilled by a plough, or mowed by a scythe.

Hummle-corn. Grain wanting the beard, such as pease; also three bolls barley and one of pease made into meal; also a lighter grain that falls from the rest when it is fanned.

Hynde, hind. A cotter who works the land.

jajvi°. jaj is a corrupted form of 1 m, for one mille, one thousand; vi stands for six; and the small c for centum. This was a cumbersome method of stating the sixteenth century: the number of the year had yet to be added to the century.

Kain, kayne. Fowls, generally hens, paid to the landlord as

rent in kind. It is still paid in Peeblesshire and other districts.

Kitchen. Anything eaten along with bread—herrings, for instance, as in the text.

Littet, dyed. Litster, dyer.

Master. Fermenting liquid used in fulling cloth.

Maynes, mains. The farm attached to a mansion-house, a home-farm.

Melder. The quantity of meal ground at once. 6 bushels=1 bow, 10-30 bows=1 melder.

Merk. A coin equal to 13s. 4d. Scots; or 13 pence and a third stg.

Myllestane-silver. Money paid by tenants either toward the cost of a mill-stone, or as payment of a substitute to assist in bringing home the mill-stone.

Pundler, poundler. A burlaw-officer, a distrainer, a poynder.

Rowme. A possession in land; also accommodation in the mill; one's turn while waiting to have one's corn ground.

Sheilling. Grain from which the *shell* or husk has been removed in grinding—the husk thus removed being known as schillin-seed.

Socneid. The right of a baron to hold court in his own domain.

Swingleing. Separating flax from the pith or stalk by beating.

Thrave. Twenty-four sheaves of corn, equal to two shocks or stooks.

Wins. The quantity of standing corn that reapers can take before them.

APPENDIX V

PRICES OF CHIEF ARTICLES

Beir.

1 Boll, 10 merks.

4 Bolls, £20.

1 Boll, £11.

1 Boll, £8.

1 Boll, £7.

1 Boll, £3. 15.

2 Fulls of Beir, 56sh.

1 peck, 8sh.

Beans.

1 peck, 26sh.

Malt.

Two and a half Bolls, £10. 5s. 8d.

1 Boll, £9. 16.

6 fulls, £14. 14.

Oats.

1 Boll, 5 merks.

1 Boll, £6, £10. 9s. £9. 16s.

£6. 10s. £4. 10s.

7 fulls, £7. 14s.

1 peck, 10s.

Oatmeal.

21 pecks, £9.

5 pecks, £8.

1 peck, 30sh.

3 pecks, £3.

3 pecks, 44sh.

1 peck, 36sh.

half peck, 7 pence.

1 full, £3. 8sh.

1 boll, £12.

1 load, £27.

Peas.

1 Boll, £13.

1 Boll, £11.

1 Boll, £10. 10s.

3 caps, 3 shillings.

1 peck, 24sh.

6 fulls, £7. 4sh.

2 fulls, £3. 4sh.

Rye.

1 Boll, £6. 6. 8d.

Shoes.

38sh.

2 pairs 58sh. 8d.

FINES

Blood and Bloodryte.

£4, £10, £12, £24, £25, £50.

Riots.

40sh.

£5 and Stocks.

£10.

20sh.

£5 and corporal punishment.

£10 (riot deforcement).

Various.

Scolding, 40 pence, £5.

Blasphemy and Scandal, 20sh.

Provocation, 5sh. 20sh. 50sh.

Unteinded corn or peas, £10.

Absence from Court, £5.

Breaking lock, £5, £10.

Contempt of Court, £5 and corporal punishment.

Deforcement, £5.

Opprobrious speeches, 30s.

Calling names, £3, £50, £10, and kirk session.

Refusal of service, £40.

Cutting ash-tree, £10.

Cutting fir-tree, 1sh.

RENTS

Cothouse, £3 with four kayne

hens. £3 with three hens.

30sh. with three hens, or 15sh.

with 5 days' spinning.

WAGES

1 day's threshing, 3sh.

1 day's spinning, 1sh. and 4 pence.

Harvest, £14 with 2 fulls Beir and half full peas.

woman £7. 10.; man,

£17. 4. ; man and wife,	Winter fee for woman, £6 with
£12. 5sh. 8d. with 20sh.	one ell of linen, harden and
or 64 herring.	plaiden.
Herd, £3 and a cloacker.	Beadle and Bell-ringer paid by
Manservant, £5 and harden shirt.	fees.
£11. 4sh. with 2 hose,	Schoolmaster paid by fees and
shirt and old clothes.	salary.
£5 with 12sh. for shoes,	Shearing eight and a half days,
and 24sh. for hose.	man and wife, 39sh. and 10
Summer fee for women, £4.	pence.
Winter for boy, 40sh.	Apprentice fee to tailor, £16.

VARIOUS PRICES FOR VARIOUS ARTICLES

<i>Peat.</i>	Dinmont ewes, £1. 7. 9.
1 stack, £4. 40 pence with half	Ewe hogg, 40sh.
peck of beir.	Meer, £5. 2. ; £26.
1 and a half stack, 4 merks.	Hire of 2 horses to Dalkeith, 4sh.
1 stack, 4 merks.	Iron-graip, 20sh.
Half stack, £3. 14.	Wain-wheel, £7.
Carriage of peats, £1 per 1000.	1 load lime from Edin., 20sh.
50 kail plants, 4sh.	3 and a half ells small plaiding,
1 year's grass equals 1 load of	42sh.
coal from England.	1 ell harden, 4sh.
7 pints ale, 2s. 4 pence.	1 and a half ell plaiding, 12sh.,
1 peck hummle corn, 8 pence.	also 8sh.
1 pound butter, 4sh.	1 ell of grey milled and pressed
Cornsacks 48sh., 28sh., 40sh.	for 2sh.
1 ell sacking, 1sh. 4d.	1 Qr linen, 3sh.
Ox, £18. 10.	1 ell linen, 10sh.
Cow, £17; £16. 10. ; £14;	Hose, 11sh. ; 8sh.
£24. 11. 6.	Coffin, grave, and bell, £2. 18. 8d.
Calf, £11. 14.	

APPENDIX VI

BARONS, MINISTERS, AND SCHOOLMASTERS DURING
THE PERIOD INCLUDED IN THE RECORDS

- 1655, January 8. Walter Pringle of Greenknow, uncle of the young laird, and acting for him.
- 1659, undated, Robert Pringle. ('ffirste Courte halden be himselfe.')

- 1683, December 29. The Baron styled Sir Robert for the first time.
 1692, September 5. Sir John Pringle, 2nd Baronet.
 1718, June 14. Robert Pringle, fiar of Stitchhill having commission from his father, Sir John.
 1718, November 15. Sir John Pringle as formerly.
 1721, November 8. Sir Robert Pringle, 3rd Baronet.
 1774, November 19. Last mention of Sir Robert.
 1781, November 17. Sir James, 4th Baronet.

MINISTERS

- | | |
|-----------------------------|-----------------------|
| David Starke, A.M., 1648. | John Glen, 1719. |
| Andrew Darling, A.M., 1683. | Alexander Home, 1734. |
| John Glen, 1691. | George Redpath, 1743. |
| | Andrew Scott, 1773. |

SCHOOLMASTERS

- | | |
|--|------------------------------------|
| James Lennox, November 27, 1655. | Andrew Whale, January 26, 1722. |
| Thomas Halyburtone, December 13, 1666. | John Beveridge, May 15, 1736. |
| John Turner, May 17, 1673. | John Smith, November 1740. |
| Thomas Underwood. | Robert Brown, November 8, 1746. |
| William Keith, October 20, 1688. | Thomas Douglas, November 15, 1800. |
| William Wilson, May 28, 1698. | |

APPENDIX VII

SOME NOTES ON MEMBERS OF THE PRINGLE FAMILY

WALTER PRINGLE OF GREENKNOW : COVENANTER.

He was the second son of Robert Pringle the first laird of Stitchhill.

He was born in the year 1625, probably at Stitchill Hall. One of his childish recollections was finding himself very much drawn toward God at the north-east end of the Hall before there was any new building or garden there.

From the age of seven or eight until twelve or thirteen he was kept under convictions, the love and fear of God ruling his heart in

some measure. At the age of eleven, his 'precious brother' went with him to Stirling, where he was taught for a year or two by the eminent and pious minister Mr. James Lockie, who had no church at the time as he would not conform to Episcopacy. And though making no progress in learning after the death of this worthy tutor, yet he was kept in the love of powerful preaching. And at Lilliesleaf he was wont to feel refreshed by the preaching of his next teacher, Mr. Thomas Wilkie, minister there, who oftentimes shed tears while preaching. At that time, when he was about thirteen, nine or ten other young people bound themselves together in a bond of brotherhood and love, as well as engaged themselves to the National Covenant. But in 1639, when at Leith school, youthful lusts and corruptions began to prevail over him, being stronger than the grace of God.

Two years at Edinburgh College followed; then five more years, partly spent at home and in the Civil War. After two years spent in France, Walter Pringle returned home, being now about twenty-three years old. During all the time of his 'fearful going astray,' he had a love to the godly, and a high esteem for his worthy brother John, whose memory ever remained sweet to him. The brothers had a loving parting when Walter set out for France; and within a year thereafter he was stricken with grief at the death of this beloved elder brother. It was in the month of June 1648 when Walter returned from the Continent that his father, Robert Pringle, pressed him to marry. He was now twenty-three. He first saw the lady who was destined to become his wife at the house of Blackhaugh, where she was staying with her brother-in-law Pringle of Whitebank, and his affections went out to her. Walter had been at Edinburgh along with his father, who hearing that his brother of Newhall was sick, sent his son Walter to Newhall to inquire after his health. Pringle of Whitebank coming to Newhall, brought young Walter away with him to his house of Blackhaugh, where the lady was dwelling at the time. In all which Walter saw the hand of Providence.

Notwithstanding the fears of the anxious lover, the Laird of Stitchill did not oppose the choice of this his younger son. He journeyed to the capital on account of this and other business; but before the laird had even met with any of the young lady's friends, he was seized with illness, from which he died within fourteen days, in May 1649.

Walter was thus left bereaved of his elder brother and now of

his father, at the age of twenty-four having the care of his brother's eight children and his sister's son.

Five months after the death of his father, Walter proceeded in the matter of his marriage. During that period, he had passed through a Communion season of three days at Lauder, during which, although the young lady was present also (the last Communion that Mr. James Guthrie was to hold there), the young enthusiast gave little thought to her! Mr. Guthrie had inquired at his young friend whether there had been any work of grace in the young lady's heart; and this was revealed during an illness through which she now passed, in which she spoke freely of her soul's concerns, whereby the working of the Lord did fully appear to Walter, and the last of his scruples was removed.

In November 1649, Walter Pringle married this lady Janet, second daughter of James Pringle of Torwoodlee. The ceremony took place at Stow, Mr. James Guthrie being the celebrant. His wife remained at Torwoodlee about six months and thereafter came home to Stitchill, where the couple remained five years with his mother Katharine Hamilton, widow of the first laird. Five of his brother's children were under their care; one of them, Eliza, having gone to her own mother, and two younger sons having been removed by death. Mr. James Aird, probably their tutor, was also of the household at Stitchill. During this time they had 'a very loving, sweet and peaceable society.' Until the English Army came into Scotland, Walter Pringle was greatly taken up with lawsuits on behalf of his pupils, he being always defender, and consequently much away from home. After the English came in, he joined the army, leaving his mother, wife and children at Edinburgh. He seems to have been present at the Battle of Dunbar, where also another Stitchill man was present; and after that defeat, he brought the ladies and children home to Stitchill. He remained at Stitchill with his wife until their eldest child Katharine was born on November 10, 1666. On the following day a party of English came in and occupied all that part of the country, whereupon Walter Pringle went and remained for about eight days at Torwoodlee.

One night he returned to Stitchill along with the laird of Torwoodlee in order to see his wife, and on the way back they encountered an Englishman upon horseback. The man did not sue for quarter, and there being some difficulty in carrying him prisoner to the Scottish army, Walter killed him. 'But what of rashness was herein, I believe assuredly that the Lord my God hath pardoned it.'

He went to Glasgow and consulted his worthy friend Colonel Gilbert Ker and continued his journey to St. Johnstoun. He took advice also at Stirling from Mr. James Guthrie as to his own and his pupils' affairs. He had hardly been eight days at St. Johnstoun when news arrived of the total defeat of Colonel Ker's forces at Hamilton. But he remained there until Edinburgh Castle was to be surrendered to the English when he departed for Edinburgh, his own and his pupils' writs being secured in the Castle. He then returned to Stitchill, but the English having been informed as to his whereabouts, Pringle went over the Border into Northumberland, remaining for a few days in the house of his cousin Major Pringle.

The man whom Walter had slain had many friends who vowed to be avenged on his slayer. Accordingly a troop of horse came and took him prisoner and kept him for the first night at Darnick. Reading the Hundredth Psalm brought him much joy and peace. His mother-in-law came to see him next day ere he was carried to Selkirk and examined by Major Robertson, to whose regiment the slain man belonged. His plea was defence of his country from the invasion. Afterwards he was liberated on bail of £2000 sterling given by Torwoodlee and Whitebank. All this time Mr. James Aird was most solicitous for his safety, and journeyed many miles soliciting the chief officers on his account. Yet with little assurance, even Lord Warristoun advising him not to compear.

At last the chief officers consented to refer the matter to the captain of the slain man's troop, to whom Walter's mother paid £150 sterling, as she thought for the man's friends. Mr. Aird was the agent in the business at Torwoodlee, Walter remaining passive, being assured spiritually that all would go well.

He seems now to have enjoyed a certain amount of freedom, and in 1651 became a constant hearer of 'that lively man' Mr. John Livingstone, going every Sabbath day from Stitchill to Ancrum, having many a sweet hour by the way. (In 1663 Mr. Livingstone was banished from the kingdom by the Lords of the Council.) Walter was debtor more than he could express to this worthy man, having sweet fellowship with him and ever delighting in his company. But coming from Stitchill to remain at Greenknow, in March 1655, he was no more a hearer of him.

An interval elapses during which one must suppose that Walter Pringle along with his wife and growing family were dwelling at the Tower of Greenknow. On the 26th September 1660 he was

a prisoner in the Castle of Edinburgh along with Sir Andrew Ker of Greenhead. At first he was scarcely able to endure imprisonment even for a few days, but God trained him up from one step to another. The next step was his being detained prisoner within the parish of Gordon; thereafter within the Tolbooth of Edinburgh, and finally at Elgin.

On the second day of August 1662 he began to write his Memoirs for the information and spiritual edification of his children. In them he passes over his sufferings and persecutions but lightly, enlarging, however, at length upon the spiritual experiences through which he was passing amid them all. They were begun at Greenknow. On Tuesday the 10th of March, his seventh child, Walter, was born; and to him his father addresses some remarks upon the meaning of his Christian name, in High Dutch signifying a pilgrim. In October of the same year, it was a great joy to him that his eldest child Katharine, aged thirteen, was permitted to make her first Communion at Westruther. Her aunt Lady Haining had not been spared to see this early Communion of her niece as she passed away on the 28th September previous. But 'blessed forever be my God, who of his rich free grace hath so shined upon the families of Torwoodlee and Stitchill.' In the end of November another aunt of the children's died, Walter's sister Craigie, who also was able to express her assurance of mercy and salvation through Jesus Christ. Another sister of Walter's had become ill on the 15th March 1663, the day of young Walter's baptism, and she passed away after a year's illness, on the 11th March 1664. She had endured violent pain most patiently, and for years previously had lived separated from worldly concerns. A son of hers, Alexander, had caused her spiritual joy by dying in the Lord; and during her last illness she made her son John engage to seek also to become the Lord's, else he was no son of hers.

This brings this Memoir to the 19th July 1664, on which day he was summoned to attend the High Commission Court for declaring that he could not own Mr James Straiton for his minister, nor conjoin in prayers read by the Reader, nor in singing the Conclusion then introduced. On the 21st July, he received sentence from the Court. He attended the Bishop of Edinburgh on the 8th September, 'but could not take the oath as he tendered it, viz. without any explanation but the words as they stand.' After receiving his summons and before compearance (having left the company he was with upon the Winistraw Law), he prayed

earnestly, and then opening the Bible at random selected the first verse which Providence cast up to him, which happened to be, 'And if we know that he hear us, whatsoever we ask, we know that we have the petitions that we desired of him.' This encouraged him a good deal. The Court of High Commission imposed a fine upon him. On the 24th of November he was taken from Greenknow by three of the Life-guards and a messenger-at-arms, and was conveyed to Channelkirk for the night, thence on the morrow to the Tolbooth of Edinburgh. On the following Thursday the second Court of High Commission, without his compearing before them, ordered him to find bond that he would enter himself before the magistrates of Elgin before the 1st of January following, and to abide within its bounds during the king's pleasure. And if the fine imposed by the first Court were not paid by Candlemas, he was to enter within the Tolbooth of Elgin. Although he had more friends this time than the last, the bishops carried all before them. He was enabled to bear all this by an assurance given to him on the 22nd October, during his imprisonment at his own home, when walking and meditating in the fields in the afternoon, that God would take his wife and children off his hands and care for them during any further imprisonment that might befall them. On the 22nd December 1664, he set forth to go to Elgin, but before reaching Edinburgh, his brother, Torwoodlee, gave in a petition to the Lords of Council in Walter's name, who granted him until the last day of the year, recommending the High Commission to grant him a longer time.

These remissions were given on account of the delicate health of his wife; and upon the 30th January 1665 his daughter Anne was born. On 23rd February the ordinary reading at family worship was Psalm Fifty-five. They sang Psalm Seven from the ninth verse to the end, and read the eleventh chapter of Ezekiel. And he considered the sixteenth and seventeenth verses of the eleventh of Ezekiel specially suitable to their circumstances.

On the following day, 24th February, Walter Pringle left Greenknow and his aged mother, dear wife and children for Elgin. The weather north of Aberdeen was severe, and he did not reach Elgin until the 10th March. His prayer on entering was that he might not go out until God carried him out without sin.

He lay in Elgin Tolbooth until April 6th when another prisoner was put in beside him, which caused him such discomfort, that on the morrow the town council without communicating with him

removed Pringle to the house whence his meals had come from. Although he was now free to worship in his new quarters, yet the ventilation was not so good, a condition that he blamed as causing soreness of the eyes.

On the 10th of May, his nephew Walter brought the good news that the prisoner might enjoy liberty within a mile about the town. This boon having been obtained through the efforts of the laird of Stitchill and the laird of Haining.

He addresses his children regarding their spiritual concerns upon the 20th July, and again upon the 31st of the same month. And on August 31st he tells them that for some weeks past he had been entertaining himself with the hopes of getting home. Six days together he was assured by several that liberty was granted; but letters arriving on the Saturday previous to writing showed him the contrary.

On the 21st November 1665, Walter Pringle directed a letter from Elgin to his household at Greenknow. And on the 30th of the same month there parted from him a pious minister deposed for not conforming. He had come from Ross to see other friends and Pringle. And some one who had come with him said on the Sabbath that those who had met with so much lenity (no doubt meaning Walter Pringle) as to be merely confined, when a hard sentence might have been inflicted, would surely not abuse that lenity by frequenting the companies of seditious persons, and meddling with those who were given to changes. 'Thus am I the scorn of those who are at ease, and the contempt of the proud, who count it lenity to be a prisoner 124 miles from my family.'

So Walter continued at Elgin, consoling himself by addressing his children indirectly in his Memoirs. The year 1666 began. On the 6th of January he wrote that on the previous Tuesday, during the night, the house opposite his dwelling was consumed by fire. Several times the wind had directed the flames against his own house, so that it too caught, but did not greatly suffer. In this, too, Walter saw the hand of God.

At the end of January he was greatly cheered by a letter from his wife announcing that a good work had begun in their son Robert.

'Upon the 6th of February my friends, by their affectionate pains, without my knowledge, did procure from the High Commission, the change of my confinement from Elgin to mine own house, and three miles about, for the payment of £200 sterling, and a Bond by Stitchill and Tersons, for my peaceable and inoffensive behaviour.'

‘The order came to my hand on the 20th day of February, and I came from Elgin on the 23rd, and to this place (Greenknow) on Tuesday last the 6th of March.’

And these things were written at Greenknow on 10th March 1666.

ROBERT PRINGLE OF STITCHILL (First Laird).

He was the second son of George Pringle of Newhall. He was first designed Pringle of Bartingbush, and was a Writer to the Signet. Having realised a large fortune from his profession, he acquired first of all the lands of Templehall in Berwickshire; and in 1628 he purchased from Sir John Gordon of Lochinvar (first Viscount Kenmure) the estate of Stitchill in Roxburghshire. He died in 1649, six years before the Records of the Baron Court begin. Walter of Greenknow referred to above was his second son. His eldest son, John, predeceased him, leaving behind him several children, one of whom became Robert, the first Baronet of Stitchill. Another was Walter of Graycrook, called to the Bar in 1664, who ably defended the Covenanters in 1679 after the Battle of Bothwell Brig. This Walter of Graycrook must not be confounded with Walter of Greenknow, also a Covenanter, referred to *antea*, who was his uncle.

SIR ROBERT PRINGLE OF STITCHILL (Second Laird; First Baronet).

He succeeded his grandfather in 1649; and in 1667, on the death of Robert Pringle of Newhall, he inherited Newhall also. In his youth he was brought up at Stitchill House under the care of his uncle, Walter Pringle of Greenknow, and in 1683 he was created a Baronet. He married Margaret, daughter of Sir John Hope, a Lord of Session, designated Lord Craighall, and had nineteen children, one of whom (1) John succeeded him.

He had also (2) Sir Walter Pringle of Lochton, admitted advocate in 1687. He became a Lord of Session, as Lord Newhall, in 1718, and was knighted. He died in 1736, when all the other judges attended his funeral in their robes as a mark of respect. Sir Robert Dundas of Arniston wrote his eulogy, which was appointed to be engrossed in the Minutes of the Faculty of Advocates. Hamiltoun of Bangour also composed an epitaph on Lord Newhall. (3) The Right Honourable Robert Pringle was another son of Sir Robert. He was appointed Secretary at War in 1718. (4) Thomas Pringle, Writer to the Signet, was ancestor

of the Pringles of Edgefield and the Pringles of Weens. His son was sheriff depute of Banffshire in 1748, and became a Lord of Session, with the title Lord Edgefield, in 1754. He died in 1764.

SIR JOHN PRINGLE OF STITCHILL (Third Laird ; Second Baronet).

He was the eldest son of Sir Robert Pringle. He married Magdalen, daughter of Sir William Gilbert Elliot of Stobbs, and had four sons and two daughters. (1) Sir Robert the third baronet. (2) Gilbert an officer in Dragoons. He married Margaret, daughter and heiress of John Pringle of Torsonce. (3) Walter, sheriff of Roxburghshire. He succeeded to Torsonce on the death of his brother and never married. (4) Sir John Pringle the celebrated surgeon.

SIR ROBERT PRINGLE (Fourth Laird ; Third Baronet).

He was the eldest son of Sir John Pringle. He married Katharine, daughter of James Pringle of Torwoodlee, and died aged eighty-eight.

SIR JAMES PRINGLE (Fifth Laird ; Fourth Baronet).

He was the eldest son of Sir Robert Pringle. He served first of all in the Fusiliers, and later commanded the 59th Regiment. Later, he was colonel of the Southern Fencibles ; and after 1797 commanded the Roxburghshire Yeomanry Cavalry. He was Master of Works in Scotland ; and M.P. for Berwickshire in four Parliaments. He became also captain of the Royal Archers, the king's bodyguard in Scotland ; and his portrait as an archer hangs in Archers' Hall, Edinburgh. He died in 1809. He married Elizabeth, daughter of Norman Macleod of Macleod, by whom he had three sons and three daughters. (1) Robert predeceased his father. (2) John who succeeded as fifth baronet. (3) Norman, major of the 21st North British Fusiliers ; and later, British Consul at Stockholm. He purchased Torsonce from his father ; but later sold it.

SIR JOHN PRINGLE (Sixth Laird ; Fifth Baronet).

He was born in 1784, and was second son of Sir James Pringle. He served for ten years in the 12th Light Dragoons. He married, first, his cousin Emilia Anne, second daughter of General Macleod

of Macleod, and had three sons and five daughters. And married again, Lady Elizabeth Maitland Campbell, daughter of the first Marquis of Breadalbane, who had two daughters,—the elder of whom married the tenth Earl of Haddington. His heir was James his eldest son. His second son Norman was accidentally drowned in the Thames. Sir John was the last of the Pringles to reside at Stitchill.

SIR JOHN PRINGLE, Baronet.

He was not one of the lairds of Stitchill, but was the youngest son of Sir John Pringle, the second baronet, and Magdalen Elliot. He was born, however, at Stitchill House, on the 10th April 1707, during the period covered by the Baron Court Records. He was trained for the profession of medicine at St Andrews, Edinburgh and Leyden; graduating as M.D. at the last, in 1730. After studying also at Paris he settled in Edinburgh as a physician.

In 1734 he was appointed assistant and successor to Professor Scott in the Chair of Moral Philosophy. In 1742 he was nominated physician to the Earl of Stair, Commander-in-Chief of the British Army; and also physician to the military hospital in Flanders. He was present at the Battle of Dettingen on 26th June 1743. He became physician-general to the army of the Netherlands, whereupon he resigned his appointment in the University of Edinburgh. During the Scottish Campaign of 1745 and 1746 he was attached to the Royal Forces, and spent the two following years with the army on the Continent. After the peace of 1748 he returned to Britain and settled in London, where he was a member of the Royal Society, and became physician to the Duke of Cumberland.

He now published the results of his researches in the domain of medicine, such as those upon antiseptic and septic substances; hospital or jail fever; diseases of the army, etc.

In 1763 he became physician extraordinary to the queen; and was created a baronet in 1766. He was appointed physician extraordinary to the king in 1774; and was a member of many scientific and medical societies. His health began to fail, necessitating his return to Edinburgh. But the rigour of the climate compelled him to go back to London, where he died in 1782 aged seventy-five. A monument to his memory was erected in Westminster Abbey. The baronetcy became extinct at his death.

GENEALOGICAL TREE OF THE PRINGLES, BARONS OF STITCHILL, in so far as it elucidates the foregoing Record

THE PRINGLES OF SMAILHOLM.

Hop-PRINGLES of Craiglatch and Newhall.

1485, William Hop Pringle.

1490, Alexander, his son.

1539, Alexander, great-grandson of William.

1587, George, his son. } Their lands were forfeited and
 } given to Sir James Pringle of
 } Smailholm.

George, in 1601, received the lands back from Sir James Pringle of Smailholm, and later was known
as George Pringle of Newhall. Half of the lands, called Knows, went in 1617 to James Pringle
of Whybank.

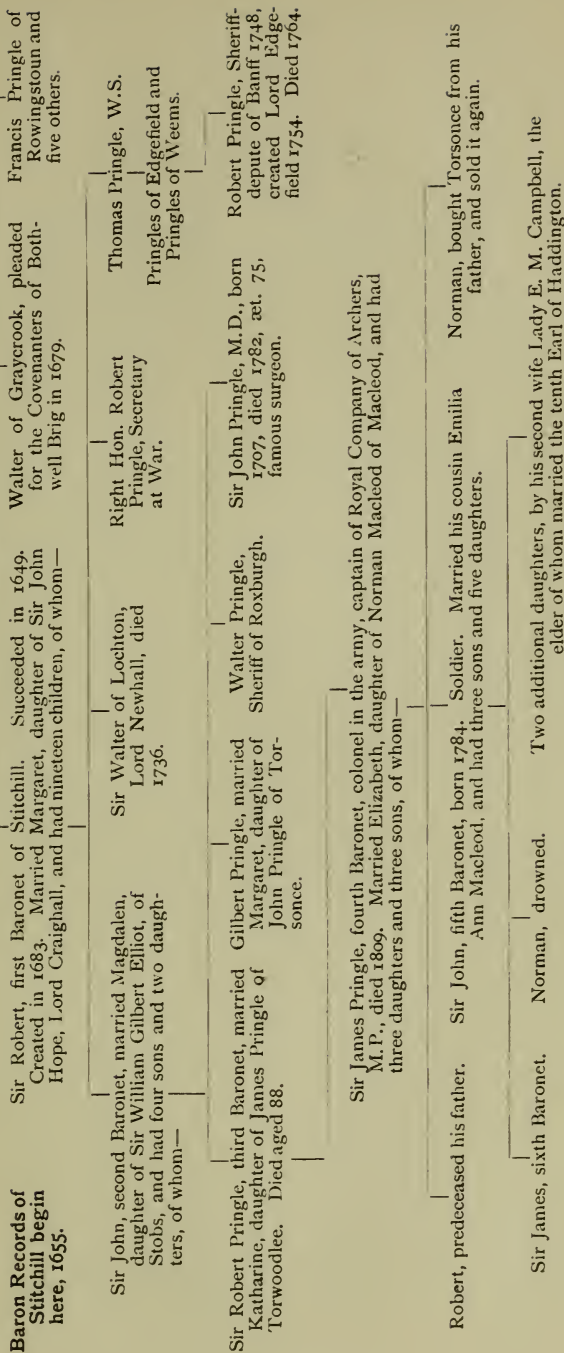
George Pringle of Newhall.

Robert Pringle, W.S., of Bartinbush, ancestor of the Stitchill family. Purchased Stitchill, in 1628, from Sir
John Gordon of Lochinvar (first Viscount Kenmure). He died in 1649. He married Katharine Hamilton.

John Pringle, predeceased his father.
He married Margaret Scott, and
had eight children.

Walter of Greenknow, Covenanter, born 1625. Memoirs published 1723. Married Janet,
second daughter of James Pringle, Torwoodlee, in November 1649, and had nine
children, one of whom was James Pringle. He married Sophia Pringle, second
daughter of George Pringle of Torwoodlee, in 1677. They had eleven children.

A daughter, who
died early, leaving
a son.



APPENDIX VIII

THE ORIGINAL MANUSCRIPT OF THE BARON COURT RECORDS AND ITS TRANSCRIBER

It is greatly to be regretted that the original Manuscript from which the foregoing Records have been transcribed has been lost within recent years, which circumstance renders the preservation of its contents in the present volume all the more essential and valuable.

The book occupied a place in the library of Stitchill House. Sir John Pringle was the last of his family to occupy the former mansion, which he left about 1840. Thereafter Lord John Scott became tenant until 1853. The estate then came into the market and was bought for Mr. David Baird, who was succeeded later by his brother Mr. George Baird. A new mansion-house in the Scots baronial style was erected near the site of its predecessor, and several years later Stitchill village was rebuilt by his widow. Her only son, George, did not hold the family possessions long, as he died at New Orleans in 1893. All the estates were then sold, and that of Stitchill passed into the hands of Mr. James Deuchar.

At this period the Manuscript disappeared. The present owner states that he never had it in his possession ; nor has any trace of it been found in connection with the sale of the library and furniture. But it is to be hoped that the loss is not irrecoverable.

In the year 1878 the Rev. George Gunn, M.A., succeeded the Rev. Dugald Macalister as minister of the united parishes of Stitchill and Hume. It was within a very few years of his settlement that his attention was directed to the old records of the Baron Courts held within the church by the Pringles. He obtained permission from Mrs. Baird and her son George for their transcription and publication ; and it is from Mr. Gunn's Manuscript that the present volume has been prepared by Dr. Gunn, one of his brothers, with consent of the executor, Mr. Thomas Gunn, advocate. Mr. Robert Renwick, the eminent palæographer, has contributed valuable assistance in revising all the proofs, to whom grateful thanks are due. Mr. Gunn passed away on the 12th of January 1900, at the early age of forty-eight. He had been president, and was at the time hon. secretary, of the

Berwickshire Naturalists' Club, and he was becoming a recognised authority in the sciences of botany and geology. Among his papers were found the results of considerable archæological research, from among which a selection was published in a memorial volume, containing notably, the 'Early History of Stitchill,' also the 'Church of Hume.'

That he never forgot his true vocation—the ministry of the Gospel—is evident from the address delivered by the Border litterateur Sir George Douglas when he unveiled a Celtic cross to his memory in Stitchill, the tribute of George Gunn's scientific friends:—

'For twenty-one years the Reverend George Gunn lived and laboured in our midst, in blamelessness, cheerfulness, unselfishness; thoughtful of others, without thought for himself; those know it who were of his flock; we know it who were of his friends; helpful, a brother to his fellowman; a faithful servant of the Highest; a type and pattern of the village priest in this God-fearing land.

'We would not that a memory, pure and bright, entwined with associations kindly and inspiring, should perish from among us. And therefore with reverence, with affection, with regret—flowers of the chaplet laid upon their graves who, victors in life's conflict, now sleep well—I unveil this memorial of the dead.

'The Cross, the sign and emblem of the Christian life, commemorates him fitly.

'May his example live among ourselves, live among those who shall come after us; may it long endure, and bountifully bring forth fruit!'

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